

it would clearly be indicated to have been an investigation conducted by a named employee of the Civil Service Commission. In no case would the name of any individual, Special Agent of the FBI, be attributed to any such document.

Mr. JOHNSON made available the complete file relating to [REDACTED] as maintained by the Investigations Division, Civil Service Commission. It was noted that this file contained neither the [REDACTED] statement nor any FBI reports concerning the loyalty investigation of [REDACTED]. It was noted, however, that this file did contain the following correspondence:

(1) A Bureau letter dated July 26, 1948 received at the Investigations Division, Civil Service Commission, on July 27, 1948 under which twelve FBI reports concerning [REDACTED] were transmitted in quadruplicate.

(2) A letter dated August 2, 1948, directed by Colonel JAMES E. HATCHER to Mr. DONALD L. NICHOLSON, Security Division, State Department, transmitting copies of the above mentioned FBI reports in triplicate, a copy of which letter was directed to the Loyalty Review Board and under which one copy of each of the above mentioned reports was transmitted to that Board.

(3) A copy of the above mentioned letter by Colonel HATCHER containing a notation to the effect the reports had been received by Mr. NICHOLSON on August 5, 1948.

Mr. JOHNSON also advised that neither the original of the [REDACTED] statement nor copies thereof have ever been contained in the files of the Investigations Division of the Civil Service Commission. Mr. JOHNSON stated he had no information as to the existence of the [REDACTED] statement until July 25, 1950, when Senator McCARTHY made his "Exhibit" concerning [REDACTED] public. On that date Mr. JOHNSON secured a copy of this "Exhibit" and at that time he noted the [REDACTED] statement as being contained therein.

It is noted that the "Exhibit" sets out the [REDACTED] statement verbatim and it is therefore significant to note that the [REDACTED] statement never was contained in the files of the Investigations Division, Civil Service Commission, although it is noted in a document purportedly emanating from that agency.

It is further significant to note that the [REDACTED] statement was apparently prepared on September 7, 1948 and delivered by [REDACTED] personally to Mr. ALLEN MORELAND, Legal Officer, State Department Loyalty Board, on September 8, 1948, and yet this letter appears verbatim in the

"Exhibit" which purports to have originated in the Investigations Division, Civil Service Commission, on September 10, 1948.

It is also noted that inquiries made at the Security Division, State Department reflected that the [redacted] statement had not left the possession of the State Department Loyalty Board on or prior to September 10, 1948 and that when the statement did leave the State Department it did not go, and never has gone to the Civil Service Commission, but rather to the Loyalty Review Board and then not until December 15, 1948.

On August 8, 1950, all State Department files relating to [redacted] both personnel and security, were reviewed at the offices of the Security Division of that agency. As a result thereof it was determined that none of the files contain a copy of the "Exhibit" referred to previously. It was also determined that the security files relating to [redacted] contained the original and one copy of a statement executed on September 7, 1948 by [redacted]. It was also noted that these files contained three copies of this statement but there is no indication that these copies were prepared by [redacted].

In this connection Mr. ALLEN B. MORELAND, Legal Officer, State Department Loyalty Board has advised that the State Department security file relating to [redacted] including the FBI loyalty reports, was forwarded to the State Department Loyalty Board by the Security Division of that agency on August 9, 1948. It was received in Mr. MORELAND's office on August 11, 1948. After reviewing the contents thereof, it was decided that [redacted] testimony to Special Agent Thomas Conroy of the FBI relating to the loyalty of [redacted] was pertinent and it was decided that she would be requested to elaborate on her comments concerning [redacted] which comments were made by her to Special Agent Conroy during the latter's investigation of [redacted]. This she agreed to do, and later delayed her statement personally to Mr. MORELAND in the latter's office. Mr. MORELAND does not recall the exact date of her statement but feels that September 7, 1948 is the correct date inasmuch as this date appears on the original bearing her signature. He also recalls that at the time he made the request of [redacted] she indicated she was quite busy because of problems attending her resignation from the State Department at about that time, and problems attending her new position at [redacted]. Mr. MORELAND recalls that at the time [redacted] delivered her statement to him she was about ready to terminate at the State Department.

State Department records indicate that [redacted] did, in fact, resign on [redacted]. Mr. MORELAND further advised that upon receipt of the statement it was made a part of [redacted] file, for the consideration of the members of the State Department Loyalty Board then about to consider the [redacted] case. He does not recall that copies of the statement were made, nor does his secretary, [redacted]. Both Mr. MORELAND and [redacted] are

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prepared to swear under oath that the [redacted] statement was made available only to members of the State Department Loyalty Board and to no unauthorized persons.

Mr. MORELAND stated that on September 17, 1948, the Loyalty Board agreed that a hearing in the [redacted] case should be set for October 12, but pointed out that the hearing was finally held on November 4th after the Department had agreed to several postponements at the requests of [redacted] counsel.

At this point it is pointed out that the security files concerning [redacted] reflect that the members of the State Department Loyalty Board which considered the [redacted] case on November 4, 1948, were:

Acting Chairman: [redacted]

Members: [redacted]

[redacted] was represented by Attorney [redacted] of the firm of [redacted]

Following the Hearing it was the majority opinion that [redacted] "was not disloyal to the United States Government and did not constitute a security risk to the Department of State". A dissenting opinion was registered by [redacted] whose rationale went to the security aspect of the case and not to the loyalty of [redacted]

Mr. MORELAND has advised that the complete file concerning [redacted] was returned by the State Department Loyalty Board to the Security Division of that agency on November 17, 1948 and that this was apparently the first time that the Security Division was aware of the existence of the statement.

In this connection, Mr. JOSEPH W. AMSHEY, Security Division, State Department, has advised that the Security Division was not aware of the existence of the [redacted] statement until this latter date, namely: November 17, 1948.

It was determined from a review of the [redacted] file at the Security Division of the State Department that the file moved between the Security Division of the State Department and the Loyalty Review Board as follows:

(1) File sent to Loyalty Review Board, December 15, 1948.

(2) December 9, 1949 file returned to Loyalty Board of the State Department by Loyalty Review Board by memorandum containing rationale of members of the State Department Loyalty Board.

(3) February 2, 1950 file sent back to Loyalty Review Board by State Department Loyalty Board with requested data.

(4) May 25, 1950, file returned to State Department by Loyalty Review Board; post audit not completed.

(5) June 9, 1950, miscellaneous papers, not returned with file on May 25, 1950, sent to State Department.

Of interest in this latter connection is a letter dated June 9, 1950, directed to Mr. DONALD L. NICHOLSON by [REDACTED] for Mr. SETH RICHARDSON, Chairman, Loyalty Review Board. In this regard, reference is made to the Loyalty Review Board letter of May 25, 1950, forwarding the State Department files concerning [REDACTED]. The letter then goes on to state that at the time that the above files were forwarded to the State Department, a Loyalty Review Board panel member had not returned a summary of information in the [REDACTED] case which had been sent to him by the Loyalty Review Board for use in studying the file in this case. Upon receipt of this summary from the panel member it was found that six pages in the State Department file on the case were stapled to such summary and these pages were forwarded by [REDACTED] for inclusion in the State Department file in the matter. These six pages included (1) the [REDACTED] statement and (2) a digest of information concerning [REDACTED] as contained in the files of the Security Division and as prepared by [REDACTED] an employee of that division.

Mr. AMSHEY has advised that it is the custom on occasions where files relating to a State Department employee are forwarded to the Loyalty Review Board for the latter's consideration, that the entire file is sent to the Loyalty Review Board in one folder. It is thereafter broken down by personnel at the Loyalty Review Board, and several folders are made up, all of which contain copies of each piece of correspondence appearing in the main file. This is done so that each member of the Loyalty Review Board panel considering the case will have access to all of the information available concerning the employee.

This was apparently done in the [REDACTED] case, for the file, as it now appears in the Security Division of the State Department, is contained in folders which are so marked that Mr. AMSHEY can state positively that they were not made up in the Security Division of the State Department.

In this connection the folders of which there are four are described as manila folders with a tab attached bearing notations respectively:

- (A) [REDACTED] File No. One
- (B) [REDACTED] File No. Two

(C) [REDACTED]
(D) [REDACTED]

File No. Three

File No. Four

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c

Three folders are of legal size. The fourth folder, "D" is of ordinary letterhead size. The folder marked "C" above was noted to contain copies of certain of the same correspondence as appeared in the other folders but contained no FBI reports.

The fact that the State Department file was broken down and apparently reassembled at the Loyalty Review Board into separate folders as described above appears to be significant for the following reason:

Of the first three folders referred to, those referred to as "A" and "B" contain the FBI reports, in the same order as they are referred to in the McCARTHY "Exhibit" (report of Special Agent [REDACTED] is set out last).

In the same connection the folder referred to above as "D" contains the FBI reports in a varying order (report of Special Agent [REDACTED] is set out fourth).

It is pointed out that if in fact an employee of the Loyalty Review Board was the source of Senator McCARTHY's information it could have been the Loyalty Review Board employee with access to the folders referred to above as "A" and "B" and less likely the Loyalty Review Board employee having access to the folder referred to as "D" above.

The Bureau is advised that in the folders referred to above as "A" and "B" the FBI reports are set up in the following order:

- Report of Special Agent Thomas A. Conroy, at Washington, D.C. dated July 6, 1948.
- Report of Special Agent Claud E. Willis, Jr. at Richmond, Virginia, dated June 28, 1948.
- Report of Special Agent Daniel J. McCarthy, at Chicago, Illinois, dated June 24, 1948.
- Report of Special Agent Joseph M. Kelley at New York, dated June 28, 1948.
- Report of Special Agent Richard T. Clancy, at San Francisco, California, dated June 25, 1948.
- Report of Special Agent Hugo P. Blandori, at New Haven, Connecticut dated June 28, 1948.
- Report of Special Agent Joseph M. Kelly at New York, New York, dated June 11, 1948.

- Report of Special Agent [redacted] at Miami, Florida,
dated June 12, 1948. b7
c
- Report of Special Agent James E. Kearney, at Detroit, Michigan,
dated June 23, 1948.
- Report of Special Agent [redacted] at Philadelphia, Pa.
dated June 29, 1948.
- Report of Special Agent Arthur S. Norstrom, at St. Paul, Minnesota,
dated July 7, 1948.

It is pointed out that the information contained in the McCARTHY "Exhibit" which has been taken from FBI loyalty reports concerning [redacted] follows exactly the order of the FBI reports referred to above.

It is further pointed out that the folder referred to previously as "D" which was also utilized by the Loyalty Review Board contains the FBI reports in the following order:

- Report of Special Agent Thomas A. Conroy at Washington, D.C.
dated July 6, 1948.
- Report of Special Agent Claud E. Willis, Jr. at Richmond, Virginia,
dated June 28, 1948.
- Report of Special Agent Daniel J. McCarthy at Chicago, Illinois,
dated June 24, 1948.
- Report of Special Agent Arthur J. Norstrom at St. Paul, Minnesota
dated July 7, 1948.
- Report of Special Agent Joseph M. Kelley at New York, New York,
dated June 28, 1948.
- Report of Special Agent Richard T. Clancy at San Francisco,
California, dated June 25, 1948.
- Report of Special Agent Hugo P. Blandori at New Haven, Connecticut
dated June 28, 1948.
- Report of Special Agent Joseph M. Kelly at New York, New York,
dated June 11, 1948.
- Report of Special Agent [redacted] at Miami, Florida,
dated June 12, 1948.
- Report of Special Agent James J. Kearney At Detroit, Michigan
dated June 23, 1948.
- Report of Special Agent [redacted] at Philadelphia, Pa.
dated June 29, 1948.

The specific change in this order relates to the fact that the report of Special Agent Norstrom does not appear as the last report in the folder as was the case in folders "A" and "B".

WFO 121-14939

It is also noted that in the folder referred to above as "B" a typewritten copy of the [REDACTED] statement, apparently made at the Loyalty Review Board is inserted in the folder immediately adjacent to the FBI reports, whereas in the folder referred to above as "A" an original typewritten copy of the [REDACTED] statement appears in a different place in the file not immediately adjacent to the FBI reports, but separated from them by unrelated documents.

It is also noted that in a statement made on the floor of the United States Senate, July 25, 1950, Senator McCARTHY referred to the "173 page transcript" of the Hearing afforded [REDACTED] by the State Department Loyalty Board as well as a letter directed by [REDACTED] Counsel for [REDACTED] to Mr. ALLEN MORELAND, Legal Officer, State Department Loyalty Board concerning the nature of the charges directed against [REDACTED] by the State Department. It would therefore appear that Senator McCARTHY had access not only to the [REDACTED] statement and the FBI reports, but also to the entire file relating to [REDACTED]

- P E N D I N G -

LEADS

WASHINGTON FIELD OFFICE

AT WASHINGTON, D.C.:

Will review information furnished by Mr. CLIVE PALMER, Special Assistant to the Attorney General concerning his prior investigation in this matter.

Interview SETH W. RICHARDSON, Chairman, Loyalty Review Board, and review any pertinent material appearing in the files of the Loyalty Review Board.

Secure information relating to the purchase of date stamps by the Civil Service Commission.

Continue the review of the State Department files concerning POSNIAK for evidence pointing to the fact that the McCARTHY "Exhibit" was prepared from any particular section of this file.

Interview Colonel JAMES E. HATCHER, Chief, Investigations Division, Civil Service Commission, upon his return to Washington.

Interview Mr. DONALD L. NICOLSON, Chief, Security Division, State Department, upon his return to Washington.

Report the results of the FBI Laboratory examination of the Civil Service Commission date stamped specimens.

Report results of the FBI Laboratory examination of comparison of typewriting specimens on McCARTHY "Exhibit" as well as his statement with any typewritten material emanating from McCARTHY's office or from former Special Agent Don Surine, contained in Bureau files.

REFERENCE: Bureau letter to WFO dated August 3, 1950.

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. LADD
FROM : A. H. BELMONT

DATE: August 10, 1950

SUBJECT: UNKNOWN SUBJECT FURNISHING INFORMATION TO SENATOR MCCARTHY IN CONNECTION WITH LOYALTY CASES OF STATE DEPARTMENT EMPLOYEES

Tolson _____
 Ladd _____
 Clegg _____
 Glavin _____
 Nichols _____
 Rosen _____
 Tracy _____
 Harbo _____
 Mohr _____
 Tele. Room _____
 Nease _____
 Gandy _____

Re my memorandum dated August 8, 1950 which suggested that Supervisor [redacted] recontact [redacted] who is [redacted] is a close personal friend of [redacted] and has previously furnished information in connection with the leak which is apparent in the Loyalty Review Board.

[redacted] contacted [redacted] on the night of August 8, 1950, and discussed with him the document which Senator McCarthy introduced during his recent Senate speech which document refers to the [redacted] loyalty case. [redacted] believes the document is a forgery and still feels that [redacted] is the person in the Loyalty Review Board who is furnishing information to McCarthy.

[redacted] advised that he believes the document is a forgery for the following reasons:

1. The Civil Service Commission date stamp appearing thereon carries the date September 10, 1948, while on Page two of the document reference is made to the United American-Spanish Aid Committee which "(group cited by Attorney General). [redacted] called attention to the fact that this group was not cited by the Attorney General until April 21, 1949, which was some seven months after this document supposedly was received in the Investigations Division of the Civil Service Commission.
2. [redacted] advised the Investigations Division of CSC could not have received this document and stamped it inasmuch as it contains the statement of [redacted] which statement was not taken until a hearing was held before the State Department Loyalty Board. After action by the State Department Loyalty Board the case would have been sent to the President's Loyalty Review Board and ~~not~~ back to the Investigations Division.
3. The Civil Service Commission does not utilize the stamp "Secret".
4. It was pointed out that in the heading of the document appears, "United States Civil Service Commission Investigations Position." Smith noted that this is an error.

*Source of Sen. R. McCarthy's
Info. re Govt. Employees*

[redacted] *bt*

RECORDED - 84

INDEXED - 84
EX-13

SEP 5 1950

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121-41668-18
5-10

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C-D

inasmuch as it would be Investigations "Division." This, [redacted] stated, would appear to be a typographical error made while recopying from another document.

- 5. Distribution is not shown on official documents of the CSC in the manner shown on instant document.
- 6. In preparing an official summary in the CSC references are made to Bureau reports but not to name of the Agents writing the reports. The names of the Agents are of no interest in the official summaries of these cases.
- 7. The CSC does not use the "copy" paper such as was utilized in instant document. In this connection [redacted] advised he saw another copy of this document at the Loyalty Review Board and had noted the watermark was of an eagle of the type used on Senate stationery. He stated that this copy of the document to the best of his recollection was either an excellent mimeograph or was typed. [redacted] advised that he believes this document was prepared from another paper furnished by an informant inasmuch as it is [redacted] understanding that a number of copies of instant document have been circulated. [redacted] pointed out that an informant would in all probability furnish only one copy of an official document whereas McCarthy has passed out a number of these copies all apparently bearing the stamps referred to above.

[redacted] stated that in general the summary is the type of summary that was prepared on the 81 State Department cases which were sent back to the Loyalty Review Board by the President for review. He also stated that much of the language in the statement is very similar to the language manner of [redacted]

[redacted] As you were previously advised, [redacted] has stated that possibly [redacted] was furnishing information to certain Republican Congressmen. [redacted] previously advised that McCarthy had issued statements in the [redacted] case which were apparently taken directly from a summary which had been prepared by [redacted] but which had not been furnished to the State Department.

[redacted] advised that in connection with the John Stewart Service case it was to be noted that McCarthy had made statements in the Senate which referred to a decision handed down by the Loyalty Review Board but which was not transmitted to the State Department for approximately six hours after Senator McCarthy made his speech. [redacted] stated [redacted] was extremely nervous and excited on that day. He advised that this again indicated that Senator McCarthy's source of information was within the President's Loyalty Review Board.

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██████████ advised ██████████ that it is his opinion, which he cannot substantiate, that Senator McCarthy has the same type of information concerning each of the 81 State Department cases. ██████████ stated that the only person in his opinion who could be furnishing the information is ██████████ again pointed out that as far back as 1944 ██████████ was mixed up in this type of activity and that he has before and since that time made a practice of summarizing loyalty-type cases for a file which he himself keeps and which has no relation to his work with the CSC. In my previous memorandum I pointed out that ██████████ had advised that ██████████ spends a great amount of his time abstracting information from Bureau reports, reports from the House Committee on Un-American Activities and other sources on 3x5 cards which he cross-references for his own personal file.

██████████ further stated that he had been advised in 1944 that ██████████ had in his home eight or ten file cabinets containing material and documents which he had obtained through his official position in the Civil Service Commission, and that these documents and summaries were cross-referenced in the card file which ██████████ maintains. ██████████ stated that both he and ██████████ were assigned to ██████████ and for a number of months thereafter ██████████ was in charge of the CSC Investigative Division ██████████ where he first became acquainted with Supervisor ██████████ Prior to the time ██████████ family moved to ██████████ was living in a rooming house in ██████████ and on one occasion exhibited to a stack of file summaries which ██████████ had prepared and which stack was approximately one foot high. ██████████ stated these summaries were apparently considered very important by ██████████ due to the fact that he had brought them to ██████████ with him personally rather than shipping them with the rest of his material along with his household goods. ██████████ stated that when ██████████ was ready to move back to Washington he obtained a large number of dead-file boxes from the CSC supply room and packed his personal papers in these boxes.

██████████ has previously pointed out that up until a short time ago ██████████ made a practice of carrying home with him his briefcase fully packed, although his work did not require that he do work at home at night. ██████████ advised ██████████ would leave the office five or ten minutes early with the packed briefcase and would return the following morning with the briefcase empty. He has further advised that in many instances ██████████ has sent files to the reproduction room in the Commission and had several photostatic copies made. When the files would be returned ██████████ would pull off two or three copies stating, "I want these for my personal file" and would give the rest of the copies to the person handling the case. In this connection ██████████ advised that ██████████ had full access to the 81 State Department cases at the time they were returned by the President to the Loyalty Review Board for review. It may be possible to check these requests through the photostat requisition slips.

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[redacted] has again stressed the fact that he has no animosity or professional jealousy toward [redacted], but stated that he considers [redacted] to be a very staunch Republican who is a fanatic on the question of Communism. He further stated [redacted] is definitely convinced that the administration is not taking the appropriate steps to remove the Communists from Government service and that Beale is the type of person who derives a great amount of pleasure from being behind the scene in "big doings."

[redacted] stated that recently Mr. Palmer from the Department of Justice had attempted to make an investigation of the leak to Senator McCarthy and had questioned several of the individuals at the Loyalty Review Board. [redacted] at the request of an administration official with whom he is well acquainted, furnished on a confidential basis to Palmer some general information concerning [redacted]. Palmer questioned several of the individuals at the Review Board and was apparently to question [redacted] had departed for home late in the afternoon at the time Palmer finished talking to another employee. [redacted] advised that one of the employees had contacted [redacted] at his home that night and apparently advised him of the investigation by Palmer. The following day [redacted] pointed out, however, that [redacted]

[redacted] advised that he has heard [redacted] state he will retire on disability. It was pointed out in this connection that [redacted] is presently 60 or 61 years of age and has only 13 years Government service, including time spent in the military service, and that his regular retirement would be \$100 per month while disability retirement would be approximately \$250 per month. [redacted] feels that [redacted] are of the "convenient" type and that he is laying the groundwork for disability retirement.

It was [redacted] opinion that [redacted] as in all probability had some of his friends clean out his desk in the Commission Office inasmuch as Palmer was making an investigation. It is [redacted] personal opinion, however, that [redacted] undoubtedly has in his home a vast amount of information which has been obtained through his official position and that in all probability the material will contain photostatic or actual copies of reports in the Commission's files.

He pointed out again, however, that he has no proof that [redacted] is the actual leak to Senator McCarthy or that [redacted] has the material in his home. He stated, however, that his close observation of the entire matter leads him to believe that [redacted] is furnishing material to McCarthy.

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[redacted] has advised that while [redacted] is a Democrat who has constantly supported the administration he is nevertheless an individual who is very security conscientious and who very keenly feels that any and all Communists in Government service should be eliminated from service. This feeling extends to fellow-travelers and sympathizers. [redacted] has advised [redacted] that he will assist in any manner possible in connection with instant inquiry. He has stated, however, that he desires that the information furnished to the Bureau by him through [redacted] be utilized in such manner as to protect the source. There is no objection to the information being placed in a report if it is properly covered and worded to protect [redacted]. Such specific instances as the occasion on which [redacted] showed summaries to [redacted] should naturally not be included in any reports in this case.

RECOMMENDATION:

It is recommended that this memorandum be referred to the Loyalty Section for information. In the event further information is desired from [redacted] contact can be made by [redacted] on short notice.

SAC, Washington Field

August 11, 1950

Director, FBI

UNKNOWN SUBJECT
(Source of Senator Joseph R. McCarthy's Information Regarding Government Employees)
REMOVAL OF GOVERNMENT PROPERTY
LOYALTY OF GOVERNMENT EMPLOYEES

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RECORDED - 84

121-21628-398-548

Rebulet August 7, 1950, instituting investigation in this matter in which you were furnished information from a confidential informant indicating that one [redacted] Loyalty Review Board, was possibly source from which Senator McCarthy secured the information contained in his "Exhibit".

Further reference is made to Bulet of August 10, 1950, in which this informant was identified as [redacted] You were instructed not to contact [redacted] inasmuch as he would be contacted through Liaison channels and all information furnished by him would be forwarded your office.

[redacted] has now been interviewed concerning the possible source of Senator McCarthy's "Exhibit". [redacted] believes the document is a forgery and still feels that [redacted] is the person in the Loyalty Review Board who is furnishing information to McCarthy.

[redacted] advised that he believes the document is a forgery for the following reasons:

1. The Civil Service Commission date stamp appearing thereon carries the date September 10, 1948, while on Page two of the document reference is made to the United American-Spanish Aid Committee which "(group cited by Attorney General)." [redacted] called attention to the fact that this group was not cited by the Attorney General until April 21, 1949, which was some seven months after this document supposedly was received in the Investigations Division of the Civil Service Commission.
2. [redacted] advised the Investigations Division of CSC could not have received this document and stamped it inasmuch as it contains the statement of [redacted] which statement was not taken until a hearing was held before the State Department Loyalty Board. After action by the State Department Loyalty Board the case would have been sent to the President's Loyalty Review Board and not back to the Investigations Division.

Tolson _____
Ladd _____
Clegg _____
Glavin _____
Nichols _____
Rosen _____
Tracy _____
Harbo _____
Mohr _____
Tele. Rm. _____
Director's Sec'y _____

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52 SEP 18 1950

MAILED 15
AUG 11 1950
COMM - FBI

[redacted] b7c

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3. The Civil Service Commission does not utilize the stamp "Secret".
4. -It was pointed out that in the heading of the document appears, "United States Civil Service Commission Investigations Position." [redacted] noted that this is an error inasmuch as it would be investigations "Division." This [redacted] stated, would appear to be a typographical error made while recopying from another document.
5. Distribution is not shown on official documents of the Civil Service Commission in the manner shown on instant document.
6. In preparing an official summary in the Civil Service Commission, references are made to Bureau reports but not to the names of the Agents writing the reports. The names of the Agents are of no interest in the official summaries of these cases.
7. The Civil Service Commission does not use the "copy" paper such as was utilized in instant document. In this connection [redacted] advised he saw another copy of this document at the Loyalty Review Board and had noted the watermark was of an eagle of the type used on Senate stationery. He stated that this copy of the document to the best of his recollection was either an excellent mimeograph or was typed. Smith advised that he believes this document was prepared from another paper furnished by an informant inasmuch as it is [redacted] understanding that a number of copies of instant document have been circulated. [redacted] pointed out that an informant would in all probability furnish only one copy of an official document whereas McCarthy has passed out a number of these copies all apparently bearing the stamps referred to above.

[redacted] stated that in general the summary is the type of summary that was prepared on the 81 State Department cases which were sent back to the Loyalty Review Board by the President for review. He also stated that much of the language in the statement is very similar to the language manner of [redacted] [redacted] has stated that [redacted] had previously been suspected of furnishing information to certain Republican Congressmen. [redacted] previously advised that McCarthy had issued statements in the Dorothy Keynon case which were apparently taken directly from a summary which had been prepared by [redacted] but which had not been furnished to the State Department.

[redacted] advised that in connection with the John Stewart Service case it was to be noted that McCarthy had made statements in the Senate which referred to a decision handed down by the Loyalty Review Board but which was not transmitted to the State Department for approximately six hours after Senator McCarthy made his speech. [redacted] stated [redacted] was extremely nervous and excited on that day. He advised that this again indicated that Senator McCarthy's source of information was within the President's Loyalty Review Board.

██████████ advised that it is his opinion, which he cannot substantiate, that Senator McCarthy has the same type of information concerning each of the 61 State Department cases. ██████████ stated that the only person in his opinion who could be furnishing the information is ██████████ again pointed out that as far back as 1944 ██████████ was mixed up in this type of activity and that he has before and since that time made a practice of summarizing loyalty-type cases for a file which he himself keeps and which has no relation to his work with the Civil Service Commission. ██████████ advised that ██████████ spends a great amount of his time abstracting information from Bureau reports, reports from the House Committee on Un-American Activities and other sources on 3x5 cards which he cross-references for his own personal file.

██████████ further stated that he had been advised in 1944 that ██████████ had in his home eight or ten file cabinets containing material and documents which he had obtained through his official position in the Civil Service Commission, and that these documents and summaries were cross-referenced in the card file which ██████████ maintains. ██████████ stated that ██████████ was in charge of the Civil Service Commission Investigative Division ██████████ in 1945 and for a number of months thereafter. Prior to the time ██████████ family moved to ██████████ ██████████ was living in a rooming house ██████████ and on one occasion exhibited to ██████████ a stack of file summaries which ██████████ had prepared and which stack was approximately one foot high. ██████████ stated these summaries were apparently considered very important by ██████████ due to the fact that he had brought them ██████████ with him personally rather than shipping them with the rest of his material along with his household goods. ██████████ stated that when ██████████ was ready to move back to Washington he obtained a large number of dead-file boxes from the Civil Service Commission supply room and packed his personal papers in these boxes.

██████████ pointed out that up until a short time ago ██████████ made a practice of carrying home with him his briefcase fully packed, although his work did not require that he do work at home at night. ██████████ advised ██████████ would leave the office five or ten minutes early with the packed briefcase and would return the following morning with the briefcase empty. He has further advised that in many instances ██████████ has sent files to the reproduction room in the Commission and had several photostatic copies made. When the files would be returned ██████████ would pull off two or three copies stating, "I want these for my personal file" and would give the rest of the copies to the person handling the case. In this connection ██████████ advised that ██████████ had full access to the 61 State Department cases at the time they were returned by the President to the Loyalty Review Board for review, and that it might be possible to check these requests through the photostat requisition slips.

██████████ stressed the fact that he has no animosity or professional jealousy toward ██████████ but stated that he considers ██████████ to be a very staunch Republican who is a fanatic on the question of Communism. He further stated ██████████ is definitely convinced that the administration is not taking the appropriate steps to remove the Communists from Government service and that ██████████ is the type of person who derives a great amount of pleasure from being behind the scenes in "big doings."

██████████ stated that recently Mr. Palmer from the Department of Justice had attempted to make an investigation of the leak to Senator McCarthy and had questioned several of the individuals at the Loyalty Review Board. ██████████ at the request of an administration official with whom he is well acquainted, furnished on a confidential basis to Palmer some general information concerning ██████████. Palmer questioned several of the individuals at the Review Board and was apparently to question ██████████. ██████████ had departed for home late in the afternoon at the time Palmer finished talking to another employee. ██████████ advised that one of the employees had contacted ██████████ at his home that night and apparently advised him of the investigation by Palmer. The following day ██████████ pointed out, however, that ██████████

██████████ advised that he has heard ██████████ stated he will retire on disability. It was pointed out in this connection that ██████████ is presently 60 or 61 years of age and has only 13 years Government service, including time spent in the military service, and that his regular retirement would be \$100 per month while disability retirement would be approximately \$250 per month. ██████████ feels that ██████████ are of the "convenient" type and that he is laying the groundwork for disability retirement.

It was ██████████ opinion that ██████████ has in all probability had some of his friends clean out his desk in the Commission Office inasmuch as Palmer was making an investigation. It is ██████████ personal opinion, however, that ██████████ undoubtedly has in his home a vast amount of information which has been obtained through his official position and that in all probability the material will contain photostatic or actual copies of reports in the Commission's files.

He pointed out again, however, that he has no proof that ██████████ is the actual leak to Senator McCarthy or that ██████████ has the material in his home. He stated, however, that his close observation of the entire matter leads him to believe that ██████████ is furnishing material to McCarthy.

██████████ has advised that he will assist in any manner possible in this case, but desires to be contacted only through Liaison channels. Should your office desire any further information from him, your request should, of course, be directed to the Bureau.

██████████ has expressed the desire that under no circumstances is his identity to be made known. There is no objection, and in fact it is desired that the information coming from ██████████ be placed in your report, but it should be shown as coming from a confidential informant. This informant should be carefully covered so that no one will be able to determine his identity. In this regard, specific information such as the informant and ██████████, which might reveal the identity of the informant, should be omitted.

67C-D

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. D. M. Ladd

DATE: August 10, 1950

FROM : A. H. Belmont

SUBJECT: UNKNOWN SUBJECT *Jos. R.*
(Source of Senator McCarthy's
Information Regarding Government
Employees)
REMOVAL OF GOVERNMENT PROPERTY
LOYALTY OF GOVERNMENT EMPLOYEES

Tolson	_____
Ladd	_____
Clegg	_____
Glavin	_____
Nichols	_____
Rosen	_____
Tracy	_____
Harbo	_____
Mohr	_____
Tele. Room	_____

PURPOSE:

To recommend that this investigation be continued inasmuch as Mr. Clive Palmer of the Department has advised that the Department made an extensive investigation of the alleged "leak" in the Loyalty Review Board in February, 1950, but only made preliminary inquiries of present matter sufficient to enable themselves to decide that it was a matter for the FBI to handle. Also to instruct the Washington Field Office not to interview [redacted] in the present investigation.

BACKGROUND:

As you know, the Bureau, at the request of the Department is conducting a "Removal of Government Property" case in an effort to ascertain the source of the "Exhibit" which accompanied Senator Joseph R. McCarthy's press release and speech on the floor of the Senate on July 25 last concerning [redacted]

By teletype dated August 9, 1950, the Washington Field Office advised that it had received information possibly indicating that the Department had conducted "extensive inquiries" into this matter.

On my instructions on August 9, 1950, Supervisor [redacted] telephonically made an appointment with Mr. Clive Palmer of the Department for an interview by Agents of the Washington Field Office on the afternoon of August 9, 1950.

By teletype dated August 10, 1950, the Washington Field Office has now furnished the Bureau the results of the interview with Mr. Palmer.

Mr. Palmer advised that he had not conducted an "extensive inquiry" as to the source of Senator McCarthy's "Exhibit." He stated that when the "Exhibit" was released by Senator McCarthy on July 25, 1950, he, together with Messrs. Ford and McInerney of the Department, Col. James E. Hatcher of the CSC and Messrs. Boykin and Nicholson of the State Department, held a conference concerning the matter. Some preliminary inquiries were made regarding the Attachment

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EX-13

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[redacted] *b7c-d*

[redacted] *b7c*

[redacted] *b7c*

[redacted] *b7c*

b7c-D

nature and source of Senator McCarthy's material, whereupon it was decided that the matter was properly one for the FBI. The FBI was then requested to conduct the present investigation. Mr. Palmer stated, however, that after Senator McCarthy's statements in February, 1950, he had, at Mr. Peyton Ford's instructions, and in cooperation with Colonel James E. Hatcher of the Civil Service Commission, conducted an extensive investigation as to a possible "leak" in the Loyalty Review Board.

Mr. Palmer stated that his investigation in February, 1950, was based principally on information furnished by [redacted] furnished Mr. Palmer with information indicating that [redacted] was possibly the individual who was "leaking" information to Senator McCarthy.

Mr. Palmer stated that through the cooperation of Mr. Seth W. Richardson he went through the effects of [redacted] at the Loyalty Review Board and found a carbon copy of the report on the 108 cases prepared by Mr. Bob Lee.

Mr. Palmer was most cooperative with the Washington Field Office agents, allowing them access to his file and loaned them copies of pertinent material in his file as sources of possible leads in the present investigation.

Mr. Palmer also advised the agents that it would be permissible for them to contact his source, [redacted] and in this regard the Washington Field Office requested advice as to whether [redacted] should be approached by agents of the Washington Field Office. Reference is made to my memorandum to you dated August 8, 1950, concerning this matter. This memorandum advised that [redacted] had previously furnished information to Supervisor [redacted] of the Bureau, on a very confidential basis concerning [redacted] and recommended that the Bureau's contact with [redacted] be carried out through Supervisor [redacted] of the Liaison Section.

Supervisor [redacted] has since contacted [redacted] at which time he expressed the desire that he not be contacted except through Supervisor [redacted]

STATUS:

Pending.

RECOMMENDATIONS:

1. Inasmuch as Mr. Palmer has advised that the Department has conducted only necessary preliminary inquiries, it is recommended that this investigation be carried to its logical conclusion.

2. If you approve, there is attached hereto a teletype to the Washington Field Office instructing them not to interview [redacted] but advising them that [redacted] will be contacted through Liaison channels.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI Attention: FBI LABORATORY

DATE: August 11, 1950

FROM : GUY HOTTEL, SAC, Washington Field

SUBJECT: UNKNOWN SUBJECT

SOURCE OF SENATOR JOSEPH R. MCCARTHY'S
INFORMATION REGARDING GOVERNMENT EMPLOYEES)
REMOVAL OF GOVERNMENT PROPERTY
LOYALTY OF GOVERNMENT EMPLOYEES
(BUFILE 121-23278)

Re FBI Laboratory report August 10, 1950.

With respect to specimens Qc1 and Qc2 which are both photostatic copies and your comments that it was not possible to reach a conclusion on comparison of the typewriting on Qc1, Qc2 and K1 because detail has been lost in photostating. There are submitted herewith the "originals" of identical material to that of which Qc1 and Qc2 are photostats. These were passed out on the Senate floor at the time of McCarthy's speech on July 25, 1950, and secured by an informant.

It is requested that the typewriting on each of these be compared with comparable typewriting on one another and on each with the typewriting on K1 to determine if a common typewriter was used in preparing any of the material.

It is also requested that full details be provided as to the type of reproduction process which was used in preparing the "Report of Investigation" including description of type of machine used, and whether any indication work done at Government Printing Office.

It is also requested that further examination of date stamp impression be made, with a view to determining how it was placed on document, whether from an actual rubber stamp, by tracing, by drafting with a copying stylus by free-hand drawing or any other such method.

It is also requested that it be determined if possible whether the imprint "COPY" was rubber-stamped, printed or otherwise placed on the paper.

It is also requested that the paper itself be examined for any indication as to source and availability.

Any other examination believed productive by the Laboratory as to the origin or manner of preparation of the "Report of Investigation" should be conducted.

This evidence should be returned to this office upon completion of the examination.

Enclosures

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sent to [unclear] 8/14/50
121-11939
52 SEP 15 1950
in [unclear] 10:45 AM 8/14/50

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EX-6
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EL



Mr. Tolson	<input checked="" type="checkbox"/>
Mr. Clegg	<input type="checkbox"/>
Mr. Glavin	<input type="checkbox"/>
Mr. Nichols	<input type="checkbox"/>
Mr. Rosen	<input type="checkbox"/>
Mr. Tracy	<input type="checkbox"/>
Mr. Harbo	<input type="checkbox"/>
Mr. Belmont	<input type="checkbox"/>
Mr. Mohr	<input type="checkbox"/>
Mr. Nease	<input type="checkbox"/>
Mr. Gandy	<input type="checkbox"/>

FBI WASH FIELD

8-11-50

DIRECTOR

URGENT

UNSUB; (SOURCE OF SENATOR JOSEPH R. MC CARTHY'S INFORMATION REGARDING GOVT.

EMPLOYEES), REMOVAL OF GOVT. PROPERTY, IGE. REBULET AUG SEVEN LAST, AND REP

OF SA [REDACTED] DATED AUG TEN LAST. ON AUG ELEVEN, FIFTY, ALL FILES

RELATING TO [REDACTED] PRESENTLY IN POSSESSION OF LRB, WERE REVIEWED. THESE

FILES DO NOT CONTAIN A REPLICIA OF THE MC CARTHY QUOTE EXHIBIT INQUOTE NOR

DID THEY CONTAIN ANY INFO INDICATIVE OF THE SOURCE OF MC CARTHY'S INFO.

LRB RECORDS DO NOT REFLECT DATE OF ORIGINAL RECEIPT OF [REDACTED] FILE. FILE

DOES REFLECT THAT CASE ORIGINALLY PREPARED FOR POST - AUDIT ON DEC SEVEN,

FORTYNINE, BY DR. C. L. COOMBS AND PRESENTED TO PANEL OF LRB, CONSISTING

OF CHAIRMAN [REDACTED] AND [REDACTED]

ON DEC NINE, FORTYNINE, LRB FORWARDED [REDACTED] FILE TO STATE DEPT. WITH

REQUEST THAT PANEL MEMBERS OF STATE LOYALTY BOARD FURNISH LRB WITH RATIONALE

OF MEMBERS OF STATE LOYALTY BOARD, WHO HAD CONSIDERED [REDACTED] CASE. ON

FEB TWO, FIFTY, FILE RETURNED TO LRB AND THEREAFTER MAINTAINED IN OFFICE OF

COL. GROVER C. DAVIS, CHIEF OF INSPECTION DIVISION, LRB, UNTIL APRIL SEVEN,

FIFTY, WHEN [REDACTED] WAS PLACED, WITH OTHER STATE DEPT. CASES, IN OFFICE OF

INSPECTOR EXAMINER COOMBS. ON MAY FOUR, FIFTY, COOMBS SENT FILE TO [REDACTED]

[REDACTED] CHAIRMAN OF LRB PANEL CONSIDERING [REDACTED] CASE. [REDACTED] RETURNED

FILE TO LRB ON MAY TWENTYFOUR, FIFTY, AT REQUEST OF LRB, WHICH DESIRED TO

MAKE FILE AVAILABLE AT WHITE HOUSE FOR MEMBERS OF FINDINGS SUB COMMITTEE,

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100-1-100

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SEP 5 1950

Page two.

PURSUANT TO A PRESIDENTIAL ORDER. ACCORDINGLY, FILE RETURNED TO STATE DEPT. BY LRB ON MAY TWENTYFIVE, FIFTY. DR. COOMBS ADVISES FILE MAINTAINED IN OFFICE OF COL. DAVIS FROM TIME OF ORIGINAL RECEIPT FROM STATE DEPT. UNTIL ABOUT OCT, FORTYNINE, WHEN COOMBS PREPARED HIS SUMMARY. STATE DEPT. RECORDS INDICATE FILE ORIGINALLY SENT LRB ON DEC FIFTEEN, FORTYEIGHT. WHILE PREPARING HIS SUMMARY, COOMBS MAINTAINED THE FILE IN HIS OFFICE, AFTER WHICH IT WAS RETURNED TO OFFICE OF COL. DAVIS, TO AWAIT ACTION OF LRB ON DEC SEVEN, FORTYNINE. WHEN FILE RETURNED TO LRB BY STATE IN FEB, FIFTY, IT WAS MAINTAINED IN OFFICE OF COL. DAVIS UNTIL APR SEVEN, FIFTY. DURING THIS PERIOD COL. DAVIS ASSISTED BY [REDACTED] WHO LEFT WASH, DC, IN APR, FIFTY, TO JOIN HER HUSBAND IN FLORIDA, EXACT ADDRESS UNKNOWN. ON APR SEVEN, FIFTY, FILE TRANSFERRED TO OFFICE OF COOMBS. FROM THAT DATE UNTIL MAY TWENTYFIVE, FIFTY, WHEN FILE RETURNED TO STATE DEPT., EXCEPT FOR PERIOD MAY FOUR, FIFTY - MAY TWENTYFOUR, FIFTY, WHEN IN POSSESSION OF [REDACTED] COOMBS KEPT FILE UNDER LOCK AND KEY. HE STATES THAT IT WAS ESTABLISHED PROCEDURE TO LOCK FILE CABINETS AND PLACE KEY IN WOODEN WORKBOX USED FOR INCOMING MAIL AND LOCATED ON COOMBS' DESK. HE INDICATED THAT COL. DAVIS, L. V. MULROY, EXEC. SECY, ROBERT FENN, ASST. EXEC. SECY, ALL KNEW WHERE TO FIND KEY IN EVENT COOMBS WAS ABSENT AND THEY HAD TO HAVE ACCESS TO FILES. COOMBS ALSO POINTED OUT THAT ONE [REDACTED] PRECEDED [REDACTED] WHO WAS IN TURN SUCCEEDED BY [REDACTED] PRESENTLY SERVING AS SECY. TO COL. DAVIS. COOMBS STATES THAT ONLY HE WORKED ON [REDACTED] CASE AND ONLY HE, MULROY, AND COL. DAVIS HAD A LEGITIMATE INTEREST IN [REDACTED] FILE. THERE APPEARS TO BE NO REASON TO QUESTION COOMBS' INTEGRITY,

b7c

Page three

THE DISTRICT OFFICERS

BUT IT IS SIGNIFICANT TO NOTE THAT ALTHOUGH HIS FILES MAY HAVE BEEN KEPT
 UNDER LOCK AND KEY, THE KEY WAS USUALLY AVAILABLE TO EVERYBODY IN THE
 OFFICE, INCLUDING THOSE MENTIONED PREVIOUSLY, AND THERE IS NO REASON TO
 DOUBT THAT ALL KNEW OF THE ESTABLISHED PROCEDURE OF LEAVING THE KEY IN
 THE WORKBOX ON THE DESK. ALSO SIGNIFICANT TO NOTE THAT ON MAR TWENTY,
 FIFTY, [REDACTED] SHOWED SA [REDACTED] OF BALT OFFICE A DOCUMENT
 WHICH WAS UNDOUBTEDLY MC CARTHY QUOTE EXHIBIT UNQUOTE WHICH HE INDICATED
 WAS TO BE USED BY MC CARTHY TO EXPOSE [REDACTED] IF, IN FACT, THE QUOTE
 EXHIBIT UNQUOTE HAD BEEN PREPARED JUST PRIOR TO ABOVE DATE, AND IT APPEARS
 LOGICAL THAT IT WAS OTHERWISE MC CARTHY WOULD HAVE USED IT HERETOFORE,
 THE POSSIBILITY EXISTS THAT THE INFO CONTAINED THEREIN WAS OBTAINED FROM
 THE FILE WHILE IT WAS BEING MAINTAINED IN OFFICE OF COL. DAVIS. IT WILL
 BE RECALLED THAT THE FILE WAS IN THE OFFICE OF EDL DAVIS FROM FEB TWO,
 FIFTY, UNTIL APR SEVEN, FIFTY. ORIGINAL COPIES OF MC CARTHY QUOTE EXHIBIT
 UNQUOTE AND QUOTE STATEMENT UNQUOTE OBTAINED AND BEING FORWARDED FBI LAB
 FOR FURTHER EXAM. INVESTIGATION PROCEEDING AND REPORT REFLECTING ADDITIONAL
 INVEST. WILL BE SUBMITTED PROMPTLY UPON COMPLETION THEREOF.

b7c

[REDACTED]

b7c

HOTEL

Called Laboratory

By

[REDACTED]

b7c

cc: Mr. Belmont
[REDACTED]

5-8

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: August 11, 1950

FROM : C. H. STANLEY

SUBJECT: UNKNOWN SUBJECT (SOURCE OF SENATOR Joe R. McCARTHY'S INFORMATION RE EMPLOYEE: Govt. EMPLOYEES)
REMOVAL OF GOVERNMENT PROPERTY
LOYALTY OF GOVERNMENT EMPLOYEES

- Mr. Tolson _____
- Mr. E. A. Tamm _____
- Mr. Clegg _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Carson _____
- Mr. Egan _____
- Mr. Gurnea _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Pennington _____
- Mr. Quinn Tamm _____
- Tele. Room _____
- Mr. Nease _____
- Miss Holmes _____
- Miss Gandy _____

PURPOSE: To record telephonic instructions given to Washington Field Office yesterday regarding contact with Loyalty Review Board.

BACKGROUND: Supervisor [redacted] Washington Field Office, called Mr. Keay at 1:30 P.M. yesterday and advised him that they were preparing to start their investigation of the captioned matter at the Loyalty Review Board but had ascertained that Seth W. Richardson, Chairman of the Loyalty Board, was out of town and that L. V. Meloy, Executive Secretary of the Board, was sick; that R. J. Fenn, next in command, was also on sick leave and the person presently in charge was a minor official, [redacted] Washington Field wanted to know whether to contact [redacted] Mr. Keay instructed them at that time to ascertain where Seth W. Richardson actually was to determine whether he could be located for interview and, if so, to have him interviewed; to also ascertain what Meloy's condition was so a determination could be made as to whether he could possibly be interviewed. Subsequently a teletype was received from WFO at 4:39 P.M., advising that they had ascertained Richardson was on leave camped in the woods somewhere outside of Ellsworth, Maine, out of touch with civilization, and not expected to return for about two weeks; that L. V. Meloy was suffering from coronary thrombosis and was constantly in bed and not in any condition to be interviewed and that R. J. Fenn was on sick leave for an indefinite period. WFO pointed out that it was felt dealings should not be had with any inferior officials at the Loyalty Review Board since they would probably not feel free to make material fully available in the absence of their superiors and that, further, no information was known as to the reliability and authority of [redacted] who was presently in charge of the Board in the absence of Richardson, Meloy and Fenn. WFO indicated that no investigation at the Loyalty Review Board was contemplated until Richardson or Meloy became available pending advice from the Bureau.

b7c

In view of the urgency of this investigation, the fact that there was every indication that neither Meloy nor Richardson would be available for interview for some period of time, and the absence of any information raising a question as to the reliability of [redacted] it was felt that we should not delay contact with the Loyalty Review Board and should contact [redacted] to determine whether he could make the necessary files available.

Accordingly, Mr. Keay called ASAC Fletcher of the Washington Field Office, referred to WFO's teletype mentioned above, and instructed WFO to contact [redacted] at the Loyalty Review Board for the purpose of determining whether

*112 me 110 Belmont
8-15-50*

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he could make the necessary files and material available in order that the investigation could proceed. WFO was instructed that the purpose of their contact with [REDACTED] would be solely to determine the availability of the necessary files and if [REDACTED] did not have authority to release the files to determine from him whose authority he would have to obtain to do so.

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RECOMMENDATION: It is noted that Seth W. Richardson some time ago communicated with the Bureau desiring an investigation of the so-called "leak" in the Loyalty Review Board which the Bureau refused to conduct and it is felt he would be a logical person to interview as to any suspicions he may have as to the identity of the unknown subject in this case. However, it is felt that the interview with Richardson should be conducted by the Washington Field Office since that office is completely familiar with the background of this investigation and, accordingly, it is recommended that we take no steps to try to locate Richardson in Maine and hold in abeyance any interview with him until he returns to Washington.

Office Memorandum • UNITED STATES GOVERNMENT

VERNMENT

DATE: August 15, 1950

DIRECTOR, FBI

TO: *Adm*

GIY HOTEL, SAC, Washington Field

SUBJECT:

UNKNOWN SUBJECT
(Source of Senator JOSEPH R. McCARTHY'S Information Regarding
REMOVAL OF GOVERNMENT EMPLOYEES)
LGE
(Bufile 121-23278)

Re WFO report of August 15, 1950.

Enclosed is a photostatic copy of the material furnished by SAAG PALMER, referred to in the administrative pages of refrep.

Enclosure
ENCLOSURE BEHIND FILE

ENC 47-17-3

121-24939

b2

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~~121-23278-22~~

EX-113
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June 6, 1960

Mr. Palmer, Department of Justice; Mr. James E. Hatcher, Investigations Division, and Mr. Waldon B. Hartsfield--persons present at time of the following statement:

OATH administered to Mr. Hartsfield by Mr. Hatcher.

QUESTION BY MR. PALMER: Mr. Hartsfield would you give your full name?

ANSWER BY MR. HARTSFIELD: Waldon B. Hartsfield

Q: And your present position.

A: Examiner (Loyalty) Loyalty Review Board, Civil Service Commission.

Q: Would you state briefly what your duties are in that position?

A: Review, analyze and present loyalty cases to panels of members of the Loyalty Review Board and perform other duties in the Loyalty Program as assigned.

Q: In our preliminary discussion, you indicated that you had, at least at the present time, custody of the so-called 81 cases of employees in the State Department.

A: Those parts of the file that have not been sent to the State Department.

Q: Who has previously had full custody?

A: Doctor C. L. Coombs.

Q: Who else has access to them?

A: Mr. Malay and Mr. Penn I would say, Mr. Ginsburg and I and

No one else has direct access. Anyone else having a legitimate reason and holding a position giving access to such information has to obtain the file from me with Mr. Penn's permission.

Q: I understand these files are carefully supervised by this group.

A: They are carefully supervised.

67c

Q: And you keep a record of who has access to them from time to time with the permission of the one in custody?

A: We have a charge out system and we can tell to whom each case is charged if it is out of the files.

Q: I understand from our preliminary discussion that since Mr. Coombs is now absent on military leave, you have in the last few days had occasion to review this card system to determine who has had access to them since they have been in the custody of the Board?

A: Yes.

Q: I understand furthermore, that the list who have had such access is confined within certain FBI agents, who have come in person from time to time, an agent or two from the State Department and Mr. Thomas W. Beale of the Loyalty Review Board. Is that correct?

A: Yes.

Q: I understand from our preliminary discussion that 21 of these cases were previously sent to panel members, but that they were recalled after the Tydings Committee got to working on them and that they are all now back except 9 of them, which are now in custody of Board Member Clark in New York City and were to have been mailed Registered Mail to the Loyalty Review Board today.

A: That is right.

Q: I understand that these files when sent to panel members were accompanied by a memorandum analyzing the files and that these memoranda were prepared by Mr. Coombs, Mr. Ginsburg and yourself. Is that correct?

A: That is right.

Q: You have stated that according to the charge-out of cards, at least parts of the Jessup and Lattimore files have been checked out by

Let me ask you this question, Mr. Hartsfield. Do you recall ever having voiced to your immediate supervisor any apprehension regarding being given any parts of any one or more of these files?

A: Yes, I do recall having expressed apprehension in the matter. But without concrete evidence upon which to base such apprehension.

Q: Was this apprehension expressed before or after materials had been given to

A: It was after I had observed him checking material out of the filing cabinets. He possibly got other material after that time.

Q: Do you remember Mr. Coombs response to your suggestions?

A: I don't recall the exact response, but his response was to the effect that was working under instructions from Mr. Maloy on some research matter connected with the case or cases.

Q: Do you know exactly what materials were secured by at that time?

A: I do not.

Q: And is there any way of determining, in your opinion, from your records which you now have what information he took at that time?

A: The records do not reflect the exact parts of the files checked out by

Q: Mr. Hartsfield, moving along to another point. I understand that Mr. Coombs went on military leave on June 1.

A: Yes, that is correct.

Q: You have had one or more telephone conversation with him since he left for military leave.

A: I have.

Q: Do you recall exactly how many you have had.

A: Two or three.

Q: Did Mr. Coombs during any one of these telephone conversations ask you to secure any information regarding any one of the 81 cases.

A: He has not.

Q: Did he indicate in any of these conversations that anyone had expressed to him any interest in any of these cases?

A: No. Except in a discussion of Mr. Meloy's illness, Dr. Coombs stated that Mrs. Meloy had advised him that Mr. Meloy had apparently improved to the extent that he was wondering about what was happening in some of the cases. However, no specific cases were mentioned in that connection and my complete reaction to the matter was in relation to Mr. Meloy's apparent improvement in his illness rather than to anything else.

Q: Did you at the time that this statement was made to you have in mind any particular cases that Mr. Meloy might have been interested in?

A: No. No particular case or cases.

Q: Are you positive, Mr. Bartsfield, that in connection with this statement of Mr. Coombs he did not refer to specific cases or ask you to secure any information regarding any of them?

A: Yes.

Weldon B. Bartsfield
Weldon B. Bartsfield

June 7, 1960

I have today rechecked the charge-out cards in my office and find that my fifth statement on page 3 herein is incorrect. The charge-out cards show that _____ checked out the State Department file in the Lattimore case on May 3, 1960. The charge-out cards further show that he checked out FBI reports of investigation, the State Department file and the Civil Service Commission confidential file in the Jessups case on May 8, 1960.

Weldon E. Hartsfield
Weldon E. Hartsfield

June 7, 1950

Persons present on this date at the time the following affidavit of Dr. Coombs was made: Mr. Clive W. Palmer, Department of Justice; Mr. James E. Hatcher, Chief, Investigations Division, U. S. Civil Service Commission and Mr. Cyril L. Coombs, Loyalty Review Board, U. S. Civil Service Commission.

The following oath was administered to Mr. Coombs by Mr. Hatcher:

Q: Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

A. I do.

QUESTION BY MR. PALMER: Dr. Coombs the Department of Justice, which I represent is interested in this matter from the standpoint of the security of confidential reports of the FBI, as I have already described to you. Colonel Hatcher has told you the condition that the Civil Service is interested in the matter from the standpoint of the security of the Civil Service Commission's records as well as the security of records of other agencies which are in custody of the Commission. You have agreed to answer questions under oath and have been sworn in accordance with that agreement. I would like first, Dr. Coombs, if you are willing to proceed to give your full name, your present position and a brief statement of your present duties.

A: Cyril L. Coombs. Position, Examiner (Inspector) Loyalty Review Board. For the last several months, I have engaged in the post-audit function which is under the Inspection Division of the Loyalty Review Board. I suppose I might as well go on and add that at the time of Senator McCarthy's charges before the Subcommittee, Mr. Maloy placed me in charge of a special project of going to the State Department, getting their files, signing for them and bringing them over to the Loyalty Review Board and having custody and supervision of the preparation of those files to be sent out to our panel members for review in accordance with the President's request. As a part of that project, we arranged with the Central Office, Investigations Division to furnish the confidential files of the Civil Service Commission records on the same individuals. We also

(Answer continued)

sent Mr. Hartsfield up to the Committee and he dealt with some assistant of Mr. Morgan to get certain exhibits that had been used in Senator McCarthy's statements before the Committee. I had custody of all those files and then as the FBI prepared summaries of information which we received in addition to reports of investigations, we set up a separate file for maintaining those in the same block of files.

Q: In this connection, you state you had the responsibility of assembling all material from all places to forward through channel for the use of your Loyalty Board.

A: The President requested that the Loyalty Review Board review these files and my charge was to get the files together into one complete file of State Department matters, Civil Service and whatever additional reports there might be to send to each panel member for his study.

Q: Is there an additional function you have that you have not described?

A: I had two men assigned to me at first, then later another. First, Mr. Hartsfield and _____ and then for a time before he went on active duty, _____

The original three of us were preparing these files to send to panel members and I worked with them in preparing some of the files. We took a set of the oldest cases and got them ready first and sent those out while we were waiting for FBI to furnish their investigation on other cases to get our procedure perfected for the panel members.

Q: In order to clarify the record, these files started to come to you on approximately what date?

A: I went over to the State Department to their Security Division carrying with me a letter from the Chairman requesting them to turn over the files of the people listed on the McCarthy list, some 81 cases. I judge it was early in April perhaps the latter part of March. I judge that from the fact that we must have had them in our possession a little over 30 days.

Q: As I understand it you received them in the early part of March or latter part of April and in the beginning immediately following receipt, your job was one primarily of supplementing material from the State Department with material from other places, such as what? Could you describe this material?

A: State Department files were made up by the State Department from their loyalty security files, plus, I was told, a careful check over their personnel files on the same individuals bringing out all of the material in the personnel file that would relate to loyalty, morals or character, leaving in the personnel files all material referring to purely personnel matters--things entirely separate from loyalty. In these files were, of course, many FBI reports already, many State Department agent reports going back years. ^{The FBI} I wrote a 6 page letter reporting on all of the cases on the list telling the status of them in connection with the handing of such cases. Very shortly after we took custody of the files, the FBI in response to a request from the Chairman pointed out that they had previously furnished the Voice of America investigation on some 30 or 40 and they had been furnished to the Commission. Going through the entire list they pointed out what they were going to do, such as reopening investigation, additional investigation and stating generally that they were going to furnish summaries of information from their files in all these cases, where the person was still employed and the information was available. Very shortly after we got custody of State Department files and Investigations Division files came in, we began getting extra copies. Voice of America copies first, then came along summaries of information. The Chairman had requested any information in their files, so they furnished summaries, a page or two or three depending and they started coming in in groups of 3, 6 maybe 10 from day to day and I judge there were 30 or 40 of those.

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Q: Do you mind if I interrupt? As they came in, who did the actual filing?

A: They were passed to me. They first came ^{to} our office through Mr. Meloy's Secretary, after we lost our regular mail and file clerk and after she left.

took over and when the reports came in from Investigations Division they would come through Mr. Meloy's secretary and she would lay them physically on my desk. I kept rather close tabs on them to see in certain cases what was going through and what was going into the files. Then [redacted] who is a long-time employee of the Civil Service Commission having been to my knowledge at least 10 years in personnel and Service Record Divisions, was loaned to us on a 90-day basis. We saw at once that the material coming in would require another filing system, so we set up folders under each subject case name to take care of the additional reports from FBI, breaking them down into 3 or 4 categories as to Voice of America, as to cases of outside agencies--outside the State Department, cases that were going ^{to} or had come from panel members so that we wouldn't get caught with a report in the office when the case file was out for study with a panel member.

Q: In other words now, at that time as these files came in and were being brought together, would you name again the people who had any contact with them whatever?

A: Within our Board?

Q: After they arrived at your office, how did they come in.

A: By messenger from Mr. Hatcher's division. He turned them over first to

When she left to [redacted], Mr. Meloy's secretary. Either one of those two would bring them to my desk through no intermediate channel. Then I looked them over, noticed what case they pertained to; what if anything was new. Some I had reviewed myself as Examiner. I then turned the case over to Mr. Hartsfield or [redacted] to make sure that the case they had sent had included the first copy that came before the other three or that the report contained no substantially new information. If their summary was complete

b7C

(Answer continued)

without it, or if it had to be forwarded out, I wrote a letter of transmittal sending it out to the respective panel member.

Q: Who selected the panel members to send these to?

A: Mr. Meloy. We agreed on a selection largely because of geographical considerations. We only had one file for each of three panel members to study, so we agreed that we had to send three cases to each panel of three, one of whom would be the Chairman and he would get one case, B would get one case, C would get another. Then the Chairman was to rotate the file and on each transmittal the panel member was told to whom to send the file when he completed his study, either to A or B as the case might be. Mr. Meloy hardly made any selection. It was largely due to where they lived. For instance, in Chicago, it was Dr. White of the University of Chicago; Professor MacChesney of the Northwestern Law School and as Chairman of that panel Dr. French of Miami, Ohio. When Professor MacChesney disqualified himself from further consideration of State Department cases because of his former employment as an attorney in the State Department, a Mr. Murray Seasongood of Cincinnati, Ohio was substituted to complete the working panel of three. Now there were panels similarly set up at Boston, New York and Los Angeles and locally Washington with one member from Virginia.

Q: I understand these files that were sent out you say were the oldest files and in most cases, if not all, they were people who were no longer with the State Department.

A: In order to speed up the consideration by the Loyalty Review Board members of cases on the McCarthy list in accordance with the President's request, Mr. Meloy instructed us to take the oldest cases first, meaning cases involving persons who had been out of the government service for the longest period of time and

(Answer continued)

which presented least difficulties by way of study and preparation. Up to the date the President offered the files for study by the Tydings Subcommittee, 21 such cases had been prepared and forwarded to panel members.

Q: I understand that those files have now been returned and none of them are any longer in your custody?

A: President Truman first informed Senator Tydings that he would study the problem and perhaps later make the files available to him and his committee. This was after he had requested the Loyalty Review Board to review such files. Accordingly, when the President announced that he decided to turn them over to the Tydings Subcommittee, it was the Chairman's decision that the Loyalty Review Board had no further function under the President's request since the Chairman believed that originally as part of the reason for the President's request that the Loyalty Review Board study such files, the President had said as a result of such study he would decide whether or not to turn such files over to the Subcommittee. Accordingly, when he had turned the files over to the Subcommittee for study it meant that the Loyalty Review Board had no function at that time. At any rate, the Chairman instructed all available files be returned to State Department.

Q: And were they in fact returned?

A: Yes, in a letter which I prepared under date of May 8, 1950, we listed 57 cases which were being returned intact to State Department files. They had furnished filing cases with the locks and we left them in their cabinets and returned that group intact. We pointed out for bookkeeping purposes that 21 of these files were out for study by panel members, that we had previously returned 10 such files for adjudication under the loyalty order, thus making 57, 21 and 10-- 88 and one that they had ^{not} sent over--John Stewart Service, 68.

Q: Have you ever had the John Service file?

A: Not after we returned it to them for further action.

Q: But you did have it at the beginning?

A: No, not in the beginning.

Q: At what point did you have it?

A: In studying for post-audit purposes the cases of _____ in August, 1949, I noticed constant references to _____ and the Amerasia case. I, therefore, inquired of Colonel Davis, Chief of Inspection Division in which I also work, where was the _____ case, since our practice is to consider cases by one examiner where they involve related matters. Our records showed that the case had never been sent to us by the State Department for post-audit. I then called _____, who is secretary I believe to the Loyalty Security Board in the State Department, to inquire as to the status of the _____ case. She informed me that it was still in the process of adjudication. Later, in October I believe 1949, a Form 98 was sent in by the State Department showing favorable action on the Service case. However, according to our system I would have had no knowledge of such Form 98, which is a Loyalty Review Board form reporting the processing of the case in the agency, until such case would be called to my attention for post-audit which is made after the complete file had been sent in by the agency at which time our clerk prepares the two together and turns it over to the inspector for post-audit. In December, while acting as Chief of the Examining Division, I had a phone call from Henry Roberson, Investigations Division Central Office inquiring as to the _____ case stating the State Department had not completed certain investigations required in China and would probably be unable to complete such investigation because of the influx of Communist troops and the loss of control by the Nationalists which forced out our representatives and wondering what we should do. I suggested to Mr. Roberson that he inform the State Department that

(Answer continued)

they should make an official statement to the FBI or our Investigations Division stating what points were not covered and why and showing what action their Loyalty security board had taken or would take or was going to take on the case in the absence of such reports of investigation. I heard no more about the case until I was working out at the Navy Department in February 1950. I received a call from Mr. Meloy asking me about the case saying that he wished it to be presented to a panel of loyalty board members which was going in, in a day or two. I told Mr. Meloy there wasn't any file in the office to my knowledge. The next morning, I immediately checked to find out if by chance the case had come into my office while I had been at the Navy and found that the case had not been sent in. Mr. Meloy then, in conversation with Mr. Nicholson, said something in substance to the effect that you are asking us to speed up on the case, but we don't have the file on it. Mr. Nicholson replied, "No that is right, it is still here and we will get it over there right away." The panel was set for March 2 and 3, ^{February} ~~April~~ 24, I believe was a Friday, the case appeared. Because of Mr. Meloy's ^{per CLC} great interest in the case and the fact that I had reviewed two related cases---

Q: What were the names of those?

A: _____ and _____ I folded together these cases and took them home over the week-end to study, since I didn't feel I could prepare a summary of the three cases and present them to the panel by the next Thursday. This I did. All such files were in my brief case, or on the table before me during the entire week-end of ^{February 24} ~~April-50~~ (per CLC) or by my bed.

Q: Are you married?

A: Yes

Q: Who is in your family?

(Answer-continued)

A: Just my wife and youngster and I believe my mother-in-law was there, but she is bed-ridden.

Q: So on from there.

A: I started to work on the _____ case Sunday afternoon, having prepared summaries of the other two briefly. I noticed at once that the date of adjudication of January 16 or 26, 1949; that the Form 98 was dated in October 1949 and referred to "Favorable action taken January 16, 1949." I at once noted that at the time the loyalty security board of the State Department had made its favorable adjudication the file had not contained at least 10 reports of investigation in China and Japan which had come in during the summer 1949 up until as late as September 21, 1949, which obviously could not have been considered by any board making adjudication as of January 16, 1949. I, therefore, stopped further study except to read the entire file, bundled it up and went to bed. The first thing the next morning I took it up with Mr. Maloy. I said, "Look someone is trying to work something. Why this adjudication is not proper. It obviously does not cover all of this material." I prepared a letter sending it back to the State Department calling for the case to be submitted to its loyalty security board for re-adjudication.

Q: What was the date of that letter.

A: It must have been February 24 that the case first came in, because the Friday before, March 3, I took the case home that week-end. Monday we sent it back. The case was returned to the State Department by letter dated February 28 as I stated with a letter of request for re-adjudication listing all of the reports which they had not considered. State Department set up a new Board replacing one former member, returned the case to us on Thursday, March 2 at 2:30 p.m.

Q: Then what happened? This period from February 24 to February 28, did you say it was in your sole custody?

A: Yes.

Q: And it was returned because the State Department agency board had not given consideration to a number of reports that had been made in China and Japan and as a consequence you did not make the analyses that you took the file home to make. Instead, you prepared a letter to the State Department which was dated February 28 asking that the agency board give it further consideration. That letter went out and then it came back by special messenger on March 3.

A: It was delivered to them February 28. It was returned to us by special messenger on March 2 at 3:30.

Q: Had the case in the interim been considered by the Department of State loyalty board?

A: Yes.

Q: It had been considered. What was their decision?

A: I knew from my previous handling of the file that it had been re-worked into three separate files, one for each panel member and a new decision on a *form* memorandum ^{of decision} ~~form~~ which I had prepared for State Department ^{is use months before} covered the file with three signatures by the board that reconsidered it.

Q: You mentioned just now that you could tell when the file came back that it had been restudied by the board of the State Department because of the re-arrangement of the file and you mentioned in that connection a memorandum which you had previously prepared was attached as a cover.

A: I prepared the form for Mr. Nicholson and he had the memorandum and ^{Form mimeographed} they used that to make their new decision.

Q: Was the form in the wording ^{of} a decision ~~made~~ taken under the executive order?

A: That is right. I had found proof that the file had been actually studied when

(Answer continued)

at 3:30 by special messenger in came another file which apparently had been in the hands of one of the State loyalty board members for study and not included with the first main file.

Q: Now, Mr. Coombs, you have back in your hands the Service case as of 3:30 March 2. What then transpired with respect to it?

A: Due to Mr. Meloy's wishes I had presented first the _____ case, then the _____ case and the _____ case was to be the third for obvious reasons, analysis, difficulty of the case, etc., and I wanted the panel members to have the most time to study the _____ case. Therefore, I dictated a summary memorandum before 4:00 attaching to it a copy of the rationale by the State Department loyalty board members supporting their last decision and at 4:30 thereabouts I presented the case to the panel calling their attention to the difference in the _____ case as compared to the other two and emphasizing certain points, giving each of the panel members as is our custom as complete a file as possible for study. The panel members decided that they would take the case and study it overnight.

Q: Would you mention the panel members' names?

A: The panel members were: Mr. John K. Clark, lawyer, New York City; I believe a Mr. Alger, also a lawyer of New York City, and I believe Mr. Shattuck, attorney from Boston, Mass. The files were turned over to the panel members for their study. I secured the balance of the files which would consist of our office file, memorandum, notes ⁱⁿ ~~at~~ my desk over night. The next morning the two panel members, I believe, Mr. Alger and Mr. Shattuck met, Mr. Clark being absent. When he did not appear by 10:30, Mr. Meloy called his hotel and Mr. Clark informed Mr. Meloy that he had been up all night studying the files in the Service case and they were such a damn mess that he had ever seen, etc.

(Answer continued)

I don't know what he said in detail, but Mr. Maloy turned around from the phone and said something like, Mr. Clark was steamed up over the case. Apparently he was excited and would be down as soon as he could. At about 11:00 he appeared and all down the hallway broadcast his reaction to the case passing through several rooms enroute to the hearing room, then proceeding to tell the panel members what he thought of it in rather live English. Mr. Alger told him in view of what he had heard previously from Mr. Maloy that they had the case all settled, memorandum dictated and that they should take up the case they had heard ^{the day} before and sort of "shut off his water" because they had ^{become aware of} ~~heard~~ the old boy's opinion in the matter and ^{I didn't then} ~~didn't~~ know whether they were in favor of it or not. I left the panel at that point since they were in conference on another case.

Q: They had refused to take up the case?

A: Yes. Mr. Clark was arguing why he was against it so they did.

Q: But the other two members were waiting for him and advised him they had reached a decision and that the memorandum had been prepared.

A: Then later on in the afternoon the memorandum as written was submitted to him for consideration at which time he inserted a paragraph which was incorrect and I had to have it rewritten and that paragraph taken out and the memorandum was finally signed at about 5:15 March 3.

Q: Did he concur in the action of the other two?

A: Yes, he did all the time.

Q: Why was he making such a noise about it?

A: That is his nature.

Q: But he was concurring on the case of Service?

A: No. He was loudly stating that he had never seen such a mess in all his life and that he was going to send that case back.

Q: But your point is that he made no bones about his feeling in the case and stated his point of view in the hearing of--

A: He stated it over the 'phone to Mr. Meloy because Mr. Meloy turned around and said, "Clark is steamed up over the case."

Q: Was there any analytical memorandum prepared by you or anyone else?

A: I dictated one three or four pages long, pointing out the main things and adding on the rationale with the panel members' decision.

Q: What was your recommendation?

A: I don't believe I made one. I simply said something to the effect, I don't know but I often say, "Should the agency's action be approved."

Q: Did they prepare a memorandum and what was their recommendation?

A: They prepared a memorandum of decision recounting what they consider derogatory information and directing that the State Department reconsider the case particularly securing more information regarding activities after he went back to

Q: And did they recommend that a new board be appointed?

A: No. We have no such authority. Sometimes an agency board has disqualified a member if he has expressed in an interview with FBI a derogatory opinion regarding a subject.

Q: Do you know of any case in which any recommendation was made in any memorandum that a new board be appointed to consider the case?

A: No, I don't by any stretch of the imagination. That is not in our province. I would suggest that the case be reconsidered and that the following steps be taken, except in a case where a man is obviously disqualified but that is very rare.

Q: I would gather from the previous questions and answers that any analytical memorandum prepared in the Service case was prepared by you and no one else?

A: Yes, that is right.

Q: The file was in your possession and yours alone?

A: I had asked for it.

Q: Was there any recommendation made either in the analytical memorandum prepared by you, in the memorandum of decision prepared by the panel members, or in the letter that was transmitted to the State Department, was there any recommendation made that the previous board that had considered the case be disqualified and a new board appointed?

A: There was not.

Q: The letter as I understand it in that case was delayed in transmission to the State Department.

A: You mean when the file was sent back?

Q: Wasn't that letter delayed in transmission?

A: Yes.

Q: Wasn't it indicated that the information had gotten out as to what the decision of the Loyalty Review Board had been before the letter got to the State Department?

A: That is right.

Q: Do you recall informing anyone either within the Loyalty Review Board or outside the Loyalty Review Board what the decision of the panel was?

A: Mr. Maloy and I think perhaps Colonel Davis. It is our practice to refer the case when we come out of the panel session as to whether--

Q: Who is Colonel Davis?

A: He is head of the Inspection Section.

Q: Grover Cleveland Davis?

A: Grover C. Davis.

Q: I have heard the name, Grover Cleveland Davis, is that the one?

A: I assume so.

Q: But you made no mention of that decision to anyone other than Mr. Meloy and Colonel Davis.

A: In mentioning it to either one of those people it would have been possible for Mr. Puryear to hear because his office between Col. Davis' and mine and it is even possible although I don't recall whether I mentioned it in the immediate group there working right around Mr. Meloy's office. We are all interested in the same matters we talk as any group would. I am not pretending that I did or did not mention it to him, but he could have heard it if for no other reason than Mr. Clark's announcement as he went through there before would give him an insight as to what was going to happen.

Q: Did you mention it to anyone outside the Loyalty Review Board?

A: I don't think so, I am sure I didn't.

Q: Are you willing to make a categorical ^{statement} ~~move~~ on that?

A: ~~To the best of my recollection,~~ yes. I thought this matter over, in fact, Mr. Meloy offered to have me make an investigation of this matter at the time. I think that indicated his regard of me in the matter.

Q: If you had mentioned it to anyone outside, would it have been only someone on the Loyalty Review Board?

A: Under no circumstances would it have been anyone other than an employee of our group. I have never been in communication with anyone on the Hill in any manner. I have never called the State Department in this regard to the outcome of the Service case. My calls were as to previous matters getting the status of the case months before and after that. Nothing about decisions. That is not my ~~MEMA~~ *function.*

Q: Were you saying a moment ago that when this question arose, Mr. Meloy asked you if you would be willing to make an investigation?

A: Yes. To make an investigation right then while it was hot if we could ascertain the leak.

Q: You expressed your concern about the leak to Mr. Meloy?

A: No. He expressed it to me. He had a different viewpoint on it than I did.

Q: And you felt that the thing might reflect back on you since you alone---

A: "Frankly, I said, "Larry, I am a prime suspect. I don't suppose that I should do an investigation." Or words to that effect. Because, naturally, by process of elimination thinking over what happened I would have to consider myself and my actions first of all.

Q: A moment in asking you a question I want to change the word "outside" and to ask you this question. Have you ever mentioned the decision in the case to anyone not employed by, or in any way connected with the Loyalty Review Board?

A: I am sure not. It is some time ago, but it was very important at the time and we talked it over pro and con and I reviewed everything that I had done at the time and I can't recall of anything other than the matters I have suggested. And of course bear in mind there are two reporters who write those memoranda up. We considered that possibility. We used Mr. Penn's stenographer to re-write the second page, but I was there when she turned that second page over. I took custody of that and explained it to panel members and Mr. Clark why the paragraph was inaccurate. He signed the new one and I took them back and tore up the other second sheet which had this extra paragraph on it that I objected to, put on the new ones and stapled them together and the panel signed it. At the time I talked to Mr. Clark he was not in with the panel. He was sitting in an office set out for a waiting room in between the reporters and Col. Davis' office. He was engaged in conversation with some stranger, a newspaper reporter, I believe and Mr. Meloy. I moved in between the visitor and Mr. Clark and explained very quietly what it was I objected to in the paragraph, but there was no mention, I am sure of the decision. It was just why this paragraph was surplusage and inaccurate.

Q: Have you ever found out who the visitor was?

A: Mr. Moloy said he was positive at the time he couldn't hear what I said himself and he was sure the other man couldn't have. It was someone connected with newspaper business. I recalled at the time we went over every possibility, but we discounted it.

Q: Before we leave that, I just have one question. It is not a question and you don't need to answer it I don't think. Apparently, you have been concerned about this because of the fact, in a sense, suspicion may have pointed toward you. Have you formed any conclusion of your own with regard to how the leak may have occurred? I say, you don't have to answer that question because it is not a proper question for an affidavit.

A: I would have to say, it is my firm opinion and I did say to Mr. Moloy that I thought it was pieced together from several things. They knew the panel was meeting. The State Department knew it. I had called them and told them.

Q: Whose office did you call?

A: It would be either _____ or Mr. Nicholson, to make arrangements in the beginning for these cases to be considered. I had another opinion to be signed so I called two or three times prior to the panel meeting. They knew definitely that no one could have considered that case prior to March 2 because it wasn't physically in the office. It came in at 2:30. They knew the panel was meeting the second and third. They were told so. It could have been concluded probably the question of these cases would be decided those two days. Most anyone would have known that who had anything to do with the cases.

Q: Do you have any other theory?

A: Not other than to say that it was pieced together from information. If anyone would make a statement to Senator McCarthy, I am positive it came from the State Department because they had been a constant source of information to him. He stated that he had someone down there, apparently who was doing good for

(Answer continued)

himself and furnished information.

Q: You don't have any idea who it could be?

A: No. I recall he stated that he had an informant in the State Department and that he couldn't reveal any more because naturally then he would be in danger of losing his job, but he produced photostats of State Department records, so he must have had someone. That is my theory of it and perhaps it comes from my background in intelligence because that is the way stories are made up, a little piece here and a little piece there. I don't think you will find anyone called Senator McCarthy's office and said, Senator on such and such a date, something was decided on such and such a case. I think you will find someone had access to part of the information and surmised the rest. It had been sent back there with a pretty stiff letter for reconsideration. My letter was pretty stiff.

Q: What would have been the date of that letter?

A: February---it could have been the 27th or thereabouts. They acted very quickly then. Set up a panel to study the very large file.

Q: That was the letter you spoke of that you wrote after you had it home over the week-end?

A: That is right. The question arose at once because of ^{Senator McCarthy's} the statement that a new board had been requested and required and we immediately checked my letter. It would have been most unusual and out of order to contain such a requirement and it did not contain such a requirement.

Q: Did the summary memorandum contain such a statement?

A: For a new board? No.

Q: Did you handle the case or who did?

A: No. I had custody when it came from the State Department. It had previously been there for post-audit and I had nothing to do with it at that time and my only connection with it since then has been in the bulk custody of all the files which included that case among others.

Q: Do you know who wrote the analytical memorandum on that case?

A: Yes.

Q: Who did write it?

A: It was an abortive effort, however. It was learned after the memorandum was prepared, either dictated or transcribed, at any rate before it was completed, that the person was no longer an employee in any department and therefore we would not proceed further with the case. The memorandum was scrapped but I am not sure at what point—either it was dictated and transcribed in rough or whether simply in notes.

Q: Do you remember what his recommendation was?

A: I know what his conclusions were. Simply that I heard him say something to the effect that she was a member of 20 odd fronts and I can't say any further than that what his recommendation was. I never saw the memorandum.

Q: As the head of that unit which you are supervising, I suppose you have been fairly security conscious. What steps have you taken?

A: The State Department, at the time I took custody of the files, furnished them in a four-drawer single section filing case with a bar for the use of padlock in contrast to the usual government file case which may have a chain lock or nothing. Thereafter we secured them every night. Then the Civil Service Commission furnished 2 tiers of specially prepared filing cabinets on which there was a very substantial fastener and heavy steel bar. These cabinets are setting in my direct vision all the time and directly behind my secretary. We stagger our lunch period so that they are not alone. In any case in which anyone is to be out of my office, I ask one of the two men assisting me in the next room to step in. At 5:15 they have instructions to turn in all reports and get them in the locked cabinet and and I lock them together. At 5:15 they are locked up and we check each padlock.

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Q: Do you have some record while the file is out?

A: We have a charge sheet that goes into each vacancy indicating who has the file and then it is marked off when the file is returned and no one has any access to those files except the three of us and on occasion one other man. He was reading them before he went on active duty, he turned one back to me and in preparation of a longer ^{article} paragraph on the Institute of Pacific Relations has had occasion to use two or three of those files only.

Q: So that in addition to you and the men working with you, what were their names?

A: Mr. Hartsfield and [redacted] and [redacted] for a very few days.

Q: What cases did he have?

A: He only had one case which he turned back when he went on active duty.

Q: Do you remember what case that was?

A: No. It was a Russian or Hungarian name though.

Q: The only other person would be [redacted] What were his cases?

A: He had only cases relating to the Institute of Pacific Relations. A brief file on [redacted] and I think he worked at the office file and some of the material that came through on [redacted] recent FBI stuff as it came through. He sat at my desk and looked at it and I believe that is all. I don't think he looked at the [redacted] or any of the others.

Q: He looked at the [redacted] file at your desk?

A: ^{No} He sat at my desk and looked at the FBI reports that came in occasionally on the [redacted] case.

Q: What was the date of that?

A: That would have been on 2 or 3 occasions up to a week prior to ~~HCC~~ hearing which began ^{MAY 31;} that would have been roughly a period of two weeks prior to June 1.

Q: But he had the [redacted] file in his own office. Do you recall did that file contain the FBI reports at all? - 20 -

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A: I am quite positive that it did not. I think it contained only reports by State Department agents and State Department file, that is what they called their security investigation and they were old in the sense of having been made several years ago. The Civil Service file was also in his possession and that was also an old file dated 1943 and containing no FBI reports. I don't believe I have ever seen an FBI report ^{of investigation} on

Q: Do you recall the approximate dates when he had the file?

A: Roughly, in the second or third weeks preceding June 1. He worked on this long resume on the Institute of Pacific Relations right at the beginning of Senator McCarthy's statements and continued along up to—perhaps he is still working on it. My girl wrote it up for him.

Q: Do you recall whether that case contained your own investigative files. I take it you mean the Civil Service file would have included the action taken by the old Rating board action on certain Chinese cases?

A: No. On only. His file would show only the action taken by the Rating Board in his case which simply gave the agency the notice of eligible rating in 1940.

Q: Did it contain anything with regard to ratings made in which he presumably was called in ^{on} back in 1943 or 1943 by the Civil Service Commission when they were rating certain persons connected with OWI?

A: ~~Yes~~ No It would have contained the results of ^{his own} that rating which is eligible or ineligible and a statement to that effect.

Q: Did this file which you have contain an ineligible rating which had been made with respect to one or more Chinese when ^{with} was heard ~~of~~ OWI?

A: I have not studied the file extremely carefully. I glanced through, but I would say that it does not contain any such reference.

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Q: Dr. Coombs, you have mentioned that _____ had one case that had two cases out of that group. To your knowledge, have either of them ever requested photostat copies of any documents in those files?

A: No. Not to my knowledge. The only photostats made with my knowledge and authority were the ones secured by Mr. Hartsfield with the approval of Mr. Morgan from the Committee and those were taken down with a representative from the Hill, taken to Temporary E and the photostats were made at the time and given to me for custody. _____ has had the study of those exhibits that would involve the photostats made at Temporary E of matters furnished before the Committee.

Q: Do you know whether or not he requested that they be re-photostated?

A: Not to my knowledge. He didn't ask me because that is an Office Services matter. He would go to Mr. Meloy.

Q: Did it ever come to your knowledge that he had requested any photostats of those exhibits?

A: No. We had, after discussion with Mr. Meloy, approved making four copies so that we could have four copies of these exhibits available to furnish to our panel and some for use in the office. So every one of those exhibits were made in four copies.

Q: Do you have any information as to the number of cases that various people rated.. prepared memorandum on?

A: No. I have had charge of the examining section for months. They run---a total would run up into the hundreds. Our post-audit section prepared 25 to 30 for a panel.

Q: Is there anyone in the group who hasn't rated any or many cases?

A: Mr. Puryear. I think all the rest of us have except the supervisors which are Mr. Penn, Dr. Frederick and Mr. Meloy, would have prepared summaries at one time or another.

Q: How do you assign these cases to various individuals, on the basis of abilities, or what?

A: When I was in charge of Examining Section, I had very few, if any private restrictions in my own mind as to assigning any case to any examiner. They are all, to my knowledge, entirely trustworthy, been investigators with the Commission for years, many are experts in subversive cases. My only choice would be if I knew one examiner had previously handled a case. Take the Cleveland Post Office case if one examiner knew the facts surrounding it, informants statements out there and the general set up, I would if I could assign him another one of the Cleveland Postoffice cases ^{similar} which another examiner would have ^{less knowledge of} or something of that sort which to my mind gave a little preference to one man over another. Perhaps there was a hurry-up choice then I would assign it to one person who was fast and would avoid assigning it to a slower person.

Q: You never had any restrictions on the premise of trustworthiness?

A: No. It would be merely a matter of temperament and rate of work or something of that sort.

Q: You have been on active duty ^{with the Navy} since June 1 and Mr. Hartsfield is in charge in your absence?

A: That is right.

Q: Have you had any contact with your office since you have been on active duty?

A: Yesterday. I went to get my check and inquired about the work of the office generally in conversation with Mr. Penn. We talked about a group of cases that doesn't enter in here, classification cases in which the opinion was expressed that we didn't handle right, but none of these cases at all, although they are ones on the program of 81.

Q: There is one other item that I want to take up, but I don't have the information it would need to base it. Maybe we could call you sometime tomorrow. What time do you get off?

A: At 4:30.

Q: Maybe we could do it after that. Col. Hatcher do you have any questions?

A: No. I think you have mentioned everything.

MR. COOMBS: I would like to check this statement over before I sign it.

Arith Coombs
Signature

Stenographer

June 15, 1950

The following OATH was administered to Dr. Cyril L. Coombs, Examiner, Loyalty Review Board by Mr. James E. Hatcher, Chief, Investigations Division, U. S. Civil Service Commission:

Q: Do you solemnly swear to tell the TRUTH, the whole TRUTH and nothing but the TRUTH, so help you GOD?

A: I do.

The following questions, unless otherwise indicated, were asked by Mr. Clive Palmer, Special Assistant to the Attorney General, U. S. Department of Justice:

Q: Now, Dr. Coombs, when we concluded our interview on June 7, 1950, it was indicated that there were several other items that I should like to go into, but I did not have the information available at the time on which to base my questions. We, accordingly, adjourned the hearing at that point with the understanding that we would meet at a latter date. We have been for a time reviewing the transcript of the prior hearing and I believe that it would be well to discuss first some of the matters which were covered in that hearing. I have particularly in mind for first consideration the question which I asked toward the conclusion of the prior hearing which reads: "Have you had any contact with your office since you have been on active duty?" I understand it is your desire to enlarge upon the answer which is given in the transcript, not because you wish particularly to add anything to what was said, but because the transcript does not accurately reflect your previous answer. Would you now give us your answer to that question in such detail as you wish?

A: My previous answer in response to your question referred rather to my physical contact with the office at the time I went to get my check and did not imply or intend to imply that I had not had other contacts with the office by telephone. In fact, as I recall the previous discussion, there was a mention of a telephone call to Mr. Hartsfield at which time we discussed the several classification cases in particular since I gathered from what he told me we had not handled that quite

b7C

correctly, before I left to go on active duty. This conversation is not referred to in my previous statement. However, I think the first answer referred to my actual contact with the office rather than the telephone conversation. I am quite certain that after thinking the matter over carefully in the light of this question that I called Mr. Hartsfield three times and Mr. Fenn once during the first few days I was on active duty. My chief concern with Mr. Hartsfield was to learn whether or not the files had been returned by panel members and were going forward to the State Department. In calling Mr. Fenn I related to him a telephone conversation by Mrs. Meloy in which she said that Mr. Meloy had expressed an interest in certain cases among them the case of Knowing the reason for his concern I told her to tell him since no one else has access to them that nothing further had developed in that case since we had been in conference on it with the State Department. Accordingly, I called Mr. Fenn to ask him in case anything did develop on it, the case, and in case he got to see Mr. Meloy to inform him of any developments in that case. I don't recall any other case being mentioned to him, Mr. Fenn, with the exception of the case and I am not positive as to the names of the other cases concerning which Mr. Meloy asked Mrs. Meloy to inquire. If I ^{was} supplied names, it would possibly be from rationalization of the cases in which we were both interested rather than an accurate recollection of which cases she referred to. I thought of the matter at the time and carefully worded my statement to her and to Mr. Fenn realizing the matter was being discussed over the telephone. I don't recall whether this conversation was from my residence or from the office, the one with Mrs. Meloy, but since I ordinarily call her to inquire about Mr. Meloy's condition from my residence, it may have been in the course of the conversation over the telephone from our residence, I don't recall. I am almost positive it was, but I can't say so.

Q: Do you have any way of fixing the date of that telephone conversation with Mrs. Moloy?

A: I would fix it as about May 31 because I had gone on active duty June 1. If the conversation had occurred while I was still in the office, I would, of course, have taken the matter up with Mr. Fenn personally. In that way I could fix the date as having been just prior to my having gone on active duty with the Navy and, apparently, after I had any contact with him because that would have been the first time. Mr. Fenn does not know about some of these cases and for that reason I have to bring him up to date so to speak on what these cases contain, and this case in particular is the one on which he knew nothing prior to Mr. Moloy's illness and taking over as Acting Secretary. The call to Mr. Fenn was from the Navy Intelligence office, possibly it was Thursday June 1 which would mean my conversation with Mrs. Moloy might have been the evening before on May 31.

Q: Have you any way of designating or being clearer concerning the cases involved? Could it have been _____ and _____ Could those have been the files?

A: That she inquired about for Mr. Moloy? _____ case might well have been one of them because it logically would have been. _____ -No; _____ -we haven't had any particular interest in that case, unless there had been some newspaper item about it. I understand he has followed the newspapers.

Q: Did she ask for specific information of any sort or only general?

A: Nothing specific. Just as to general developments. Anything new on them to my recollection.

Q: Now, Dr. Coombs, I would like to pass -----

A: I would like to continue my statement. At the previous questioning I was asked

57C

concerning my custody of the _____ file and indicated that I had little to do with it and had not studied the file in detail. However, there is one significant item that I failed to mention because of not having recalled same. The _____ file was requested by Mr. Meloy from the Central Office Investigations Division of the Civil Service Commission on the day that the newspapers carried the story that Senator McCarthy had named _____ as the top agent of the American policy on Far Eastern Affairs. I requested the file from Central Office Investigations and found it had already been requested and sent out and when I informed Mr. Meloy that the file was being sent over _____ said, "It's here" and turned the file over to Mr. Meloy. He opened the file and looked at it and I looked at the file over his shoulder at his desk and he noted that the top paper in the file showed an eligible rating by the Civil Service Commission in 1943 of _____ . In connection, I believe, with his application for OWI. He merely thumbed through the successive pages quickly and then called the Central Office stated that he had the file in his possession and would bring it up which he did. It was a matter of over a week perhaps 10 days until Mr. Meloy came into my office and said, "Here is a case for your file" and handed me the confidential file, Civil Service file, on _____ This was after the bulk ^{of the} cases requested from the Central Office Investigations Division listed on Senator McCarthy's list had been placed in my custody so that I merely opened the drawer and placed it in its proper alphabetical order among the other cases already there.

Q: So that as I understand it, the _____ case did not come into your possession until the point you just indicated?

A: My custody. Yes.

Q: About what date?

A: It was a matter of a week or ten days I judge. That is just my judgment. Another matter I wish to state is that these files have been the subject of review by agents of the FBI, Treasury Department, I don't recall any representative of the State Department, Labor has had representatives over and Defense. At one time four FBI agents were studying various files at the same time. All of which were cases listed by Senator McCarthy. The records will show which agent studied which case and the date. Also Department of Justice's representative from the Criminal Division has reviewed some of these files.

Q: Dr. Coombs, does that cover the various points that you wish to add?

A: I believe so and ^{there} maybe others, but that is all I thought of for this time.

Q: I would like to then turn to the _____ case again and ask you a question with regard to that. During our previous questioning I asked you for your theory as to how it happened that information had been obtained by sources outside the Loyalty Review Board of the action which had been taken in the _____ case. Do you have any further information not covered in our previous questioning regarding this situation?

A: In Senator McCarthy's reference to the decision in regard to the _____ case, he stated among other things that the decision required the formation of a new board to hear the case. I argued with Mr. Meloy that this meant his information must have come from the State Department because as I have pointed out above there was no requirement in our letter of February 28 requiring a new board to be formed to hear the case, nor at that time did we know that one member of the board rendering the first favorable decision in the Service case, one _____ was no longer with the State Department, but had been with some Committee, I believe the Senate Judiciary Committee on the Hill, that since who ever informed Senator McCarthy had referred to the formation of a new board, a fact unknown to us; that the informant must have been one connected with the State Department since only t

Advised prior to March 14 of such action.

67c

67C

in that Department having knowledge of the Loyalty Security Program in the State Department would have known that the Loyalty Review Board requested that the case be reconsidered would involve the appointment of a new panel of members.

Knowledge that _____ was no longer a member of the Loyalty Security Board came to me in connection with another case and was not contemporaneous with the preparation or presentation of the _____ case to the Loyalty Review Board panel.

Q. Still in connection with the _____ case in your testimony on June 7, you described in some detail how the case first came to you following several telephone discussions with the State Department requesting action on the part of the Loyalty Review Board and final statements from you or Mr. Maloy that you didn't have the case and you described how you received it on February 24; how in view of the urgency of consideration of the case you took it home over the week-end; how you reviewed the case at your home and immediately found that certain investigative reports of investigations made in China and Japan had obviously not been reviewed by the panel as evidenced by the fact that the reports bore a date subsequent to the previous action of the panel; how you returned the following Monday to the office and prepared a letter dated February 28, calling the State Department's attention to this omission; how the two copies of the file came back almost immediately, that is on March 2 at 2:30, the third copy following immediately thereafter; how you prepared a brief summary of the matter for consideration by the Loyalty Review panel, prior to 4:30 the same date; how the panel of the Loyalty Review Board took it under advisement for the night and how the decision was reached the following day at which time a memorandum of decision was prepared. I would like to complete this story to ask you to describe the steps following the preparation of that memorandum of decision referred to.

A: As I stated before, it was necessary to make a correction in the second draft of the memorandum of decision in order to eliminate a paragraph that was inaccurate which had been inserted by Mr. Clark. I had the new copy of the second sheet prepared by Mr. Penn's secretary, took the new second page with the one to be discarded back to the panel members and attached the new second page to the original first page and turned the memorandum over to the Chairman of the panel for his signature. Mr. Shattuck, I believe, had to catch a train so that we were hurrying operations. I then, after the board members had signed the panel decision, took the entire file, checked all desks in the hearing room for extra papers, destroyed the extra sheet, the second sheet, which had been rewritten by tearing same into small pieces and depositing them in two separate baskets and took the file back to my office together with files in the case of _____ and _____ which had been with the panel. I put all of these files into my lower right hand drawer putting scotch tape over the _____ file edge, locked my desk, checked the drawers carefully and left the office. On Monday, following March 6 a Mr. Sells, Attorney with the Criminal Division, Department of Justice, appeared to take over the file in the _____ case since he had previously arranged with Mr. Meloy to make a review of the case. Mr. Meloy stood with Mr. Sells and myself in my office when I turned the case over to Mr. Sells and there was some little discussion in which Mr. Meloy stated that the case was going back to the State Department and that he wanted Mr. Sells to get the case back to him as quickly as possible. I pointed out to Mr. Sells that there was an excellent summary made by a State Department employee which was entirely accurate and would serve to enable him to get the facts of the case very quickly. I returned to the Navy Department Office of Industrial Relations, Pentagon, I believe, on the following Wednesday, March 8----it may have been the 7, to continue my post-audit of cases and returning to my office at the Loyalty Review Board on Friday, I believe, March 10, at which

time I asked Mr. Meloy or rather said, "I suppose the case has gone back." He replied, "No, it hasn't been returned by the Department of Justice as yet. I have had it on the tip of my tongue calling Mr. Sells two or three times, but decided not to." Nothing more was said regarding the case at that time. However, on the following Monday, March 13,

in our office came to me and said, "Here is something for you Doc. It came in late the other night and asked me to stow it over night for her and I forgot about it until now." The file was sealed with scotch tape, was in an ordinary government inter-office envelope, contained no notation except my name, nothing to indicate the name of the case, nor its urgency. For that reason who was then our mail and file clerk, saw nothing unusual about the case to warrant its being turned over that night, since I was at the Navy and did not return to the office at closing time. I called Mr. Meloy's attention to the file by saying, "Here it is. Here's what you are looking for," and he came over and was very much upset when he learned that the file had been returned by Mr. Sells, I believe on Wednesday, March 8, and had been in our office for 3 or 4 days over the week-end. Accordingly, he instructed me at once to prepare a letter transmitting the case back to the State Department, informing them of the decision in the case, which was done and the letter was dated March 14, I believe. Upon turning the file over to Mr. Sells, the memorandum of decision by the Board was extracted from the file together with our summaries in the case.

Q: I understand then, Dr. Coombs, that the file was back in your office by March 8, although it didn't come to your attention, that it was there until the morning of March 13.

A: That is correct.

Q: That you understand was due to the fact that you were out of the office and working in the Navy Department at the time?

A: Yes. seeing it addressed to me would have held it over night to turn over to me the following morning since it came in very late in the afternoon, but since I was not there, she turned it over to to turn over to me and he forgot it.

Q: Do you have any reason for believing that it was not in perfectly secure hands all the time?

A: No. The seals were not broken. The package was addressed to Dr. Coombs and there was nothing to indicate its contents in any way or its urgency. Since we often have files coming in from various departments for post-audit, no doubt, did not recognize its urgency. He stated to Mr. Meloy that the file had been in his locked file cabinet during the entire period.

Q: Just one more question on that. During your testimony the other day you described as I have already indicated in the previous question a rather dramatic series of events which transpired with respect to the Service case which you have now added to and completed and in that connection I just want to read a statement which appeared in the Congressional Record on April 27, Page 5974:

"As I said, I should like to give the Senate some more detailed information in the case of Mr. Service. The Senate will recall that Mr. Service is a man who has taken such an active part in shaping our China policy. During the entire year of 1949 Mr. Service was under intensive investigation by the FBI. Reports were forwarded to the Loyalty Review Board which reflected adversely upon his desirability as a State Department employee. On December 23, 1948, the Loyalty Review Board received a copy of such report, and again on February 18, 1949, March 10, 1949, April 4, 1949, May 11, 1949, August 9, 1949, September 7, 1949, and September 21, 1949, the Loyalty Board received reports from the FBI containing information which would strongly indicate---to

put it mildly---the wisdom of terminating his employment immediately. Those reports have been subsequently picked up by the Justice Department. Incidentally, three copies of each report were forwarded to the State Department. Service's file was requested by the Loyalty Review Board from the State Department repeatedly until the year 1949, but was not received by it until February 24, 1950. On March 3, 1950, as I have previously stated, the Review Board referred his file back to the State Department, with the request that further hearing be held and that a new board be appointed. On March 6, 1950, the Justice Department picked up Service's entire file."

There are a number of things in there that are quite interesting. In your off-the-record statement the other day, you indicated that no one knew, so far as you were aware that the Justice Department had this file in that interim period. Obviously, it was known wasn't it?

A: I didn't see that April 27th Record before. That statement is taken from the chronology which was furnished by Mr. Meloy. I prepared a chronology of the case right about that time, I should say about the middle of March for Mr. Meloy showing just the chronology of the handling of the file. It appears as a part of our Loyalty Review Board Minutes which came out at the time of the meeting in the Loyalty Review Board held to decide what to do about the President's request.

Q: In other words, the meeting of April 3 which has been referred to as a "secret meeting." Are you positive then that the chronology may have been the basis of this statement and was made a part of the minutes of April 3 to which attention has also been drawn?

A: Yes. The minutes of the meeting of the Loyalty Review Board have attached to it a copy of the President's letter to the Chairman of the Board requesting a review of the files and a copy of the President's letter to Senator Tydings' Subcommittee and I am positive that the last attachment is a one page chronology of the Service case, because in the interim we had had a very sharp letter from Senator McCarthy inquiring about the delay in the case from the time the decision was rendered on March 3 until it reached the State Department and was requesting an explanation of Mr. Meloy's statements that he had never heard of the Service case.

Q: In other words, this could have been given in reply to a letter from Senator McCarthy, but you did prepare them a chronology of the case?

A: Yes. I sat at Mr. Meloy's desk and took the files and gave him the dates and from it he prepared the chronology in final form because I gave him greater detail than he wanted. As to the so-called secret meeting, I made part of the telephone calls to the panel members all over the country advising them of the meeting and the purpose of the meeting and I believe that Mr. Meloy made similar calls, I was so instructed. There could have been reasonably no description that would accurately have used the word "secret."

Q: I want to turn to another subject and that is the matter of the work you have been doing over at the Navy Department. I understood you to mention from time to time during your testimony that you have reviewed files in the Navy Department, I would like to ask if you can indicate the approximate dates when you have been reviewing those cases?

A: I must have been at the Navy Department during the week of February 20 because it was during the week of February 20 on Thursday, as I recall it that Mrs. Meloy asked me regarding the whereabouts of the files. Since I had 160 cases to review roughly, I was there a matter of several days and returned

be it after the panel meeting on March 5, I believe on March 7, 8, 9 and 10. Although I may have come back to my office on the 10, I know I did return on March 15.

Q: Can you fix any more definitely the earliest date on which you engaged on that?

A: Mr. Greenfield and I have been working on a post-audit of Navy cases since late summer of 1949 and had made several trips for a day or two at a time reviewing such cases, therefore, I am unable to.

Q: Do you recall whether or not you reviewed the case of

A: I am positive I did not.

Q: Do you recall who did?

A: No. I recall reviewing the case of _____ after it came in with the files from the State Department.

Q: Do you know who did the post-audit on _____ If it wasn't you would it have been Mr. Hartsfield?

A: No, not necessarily. At various times we have supplemented the ones entirely assigned to post-audit by having night sessions in which all the examiners work on post-audit cases, which would have been on three or four occasions during the summer of 1949.

Q: Would you describe very briefly, Dr. Coombs, what you do when you post-audit a case. Do you make any memorandum or summary?

A: Finally, yes, on those cases that are presented to a panel and on the post-audit form occasionally there are notes. However, our practice is generally and briefly this: To review the file and notice that it has been decided by an activity loyalty board of the Navy Department. Then seeing that the decision is in proper form, signed by the activity board of which there are 800 roughly in the Navy Department. I then look in the case to see whether there has been a letter of charges given to the employee or an interrogatory and if any, what the reply has been. We then quickly review the FBI report to ascertain the basis which

is a separate heading in the report for the basis of conversion to a full field investigation. If the basis for investigation is serious we look further into the file to see what the investigation developed, mainly to see that the derogatory information in the file has been covered by a letter of charges or an interrogatory given by the activity loyalty board, since our primary purpose in post-auditing is to make certain that the rules and regulations and procedures layed down by the Loyalty Review Board for the agencies' actions in such cases have been followed substantially or closely.

Q: You are positive then that you never analyzed the _____ case?

A: Reasonably so, considering that I have reviewed [~]thousands or more cases.

Q: You are fairly positive in your own mind that you have never had anything to do with the _____ case. Do you know of anyone else on the Loyalty Review Board who made any review or analysis of this case?

A: No. I have no such knowledge. My recent recollection of this case is due to the fact that a lengthy report of investigation on _____ was forwarded to the Loyalty Review Board in connection with the case of his wife who is an employee of the State Department. At first consideration, I decided that the case need not go forward to the State Department since it was not on the list and did not involve one of their former or present employees, but Mr. Hartsfield and myself discussed the matter and decided that since the report was obviously furnished by FBI because of its relationship to the case of _____ that it should go forward for whatever action the State Department cared to make of it.

Q: So that so far as you know, no action was taken by the Loyalty Review Board at any point on the _____ case.

I believe
A: A check of the records would show that he had been terminated as an employee of the Navy Department prior to the loyalty program which is October 21, 1947.

Q: But there was material with respect to _____ in an FBI report which came to the Loyalty Review Board from FBI after the President requested the Loyalty Review Board to review certain cases mentioned by Senator McCarthy.

A: Yes.

Q: This material of the FBI was not analyzed in the Loyalty Review Board?

A: No sir, nor read. I glanced at it.

Q: However, it did go with _____ case back to the State Department after the Tydings Committee was formed.

A: No. The photostat copies furnished by FBI in the _____ case recently were copies of an old report of investigation dating back considerably as I recall and they were furnished after the files had been returned to the State Department many days and did not go back with the State Department's files and case, but were sent subsequently perhaps as late as the latter part of May.

Q: The FBI material then in the _____ case was in the hands of the Loyalty Review Board from approximately when to approximately when.

A: I believe it went out the same day that it came in. I don't believe that it was in the file with _____ ^{more than} case ~~for~~ an hour.

Q: The only material the Loyalty Review Board has had on Steven Brumauer case in _____ only recently from the FBI and was almost immediately thereafter forwarded to the State Department and can you estimate what date, approximately when?

A: The latter part or last week in May.

Q: Have we covered everything Colonel?

A: I have a few questions.

QUESTION BY COLONEL HATCHER: Did you while you were on active duty with the Navy on or subsequent to June 1, 1950 have any telephone conversation with Mr. Hartsfield

A: I have so stated.

Q: (Following questions to EMD were asked by Colonel Hatcher)

Q: In those conversations, did you discuss with him the _____ or the _____ or _____ cases?

A: Not to my recollection.

Q: Did you say anything to him about a conversation which you had with Mrs. Meloy with reference to any one or all of those cases?

A: I may have expressed to him the fact that Mrs. Meloy was interested. Mr. Hartsfield knew nothing about the _____ case. I didn't discuss that with him. As to the others my only interest was to see that the files had gone forward to the State Department promptly.

Q: With reference to the files in the _____ and _____ cases and any other of the so-called "SI" cases that were made available to _____, did Mr. Hartsfield discuss that matter with you at any time?

A: Not to my recollection. Over the telephone?

Q: No, at the office.

A: I can't say that --

Q: I will be more specific. Did he make any suggestions to you with reference to whether one or any of these files should be made available to _____?

A: Mr. Meloy just simply said that _____ is working on the IPR and he will have occasion to use some of your material. Previously he had indicated that no one was to have access to these files or know about them except myself, Mr. Hartsfield and Mr. Ginsburg and _____.

Q: Did Mr. Meloy give you any instructions with reference to making any of these files available to Mr. Beale other than what you have just stated?

A: Not to my recollection. Mr. Meloy told me specifically that _____ was to have access to the exhibits which we had photostated and to the transcript of the statements and hearings before the Subcommittee. In fact, _____ prepared an index of the entire 1600 pages of transcript before the Tydings Subcommittee.

b7C - 10

June 16, 1950

The following OATH was administered to Secretary, Loyalty Review Board, by Mr. James E. Hatcher, Chief, Investigations Division, U. S. Civil Service Commission:

Q: Do you solemnly swear that the statements you will make here will be the TRUTH the whole TRUTH and nothing but the TRUTH?

A: I do.

QUESTION by Mr. Palmer, U. S. Dept of Justice: Will you state your full name?

A:

Q: Also state where you are presently employed.

A: At the present time? I was detailed on April 10 of this year to the Loyalty Review Board and prior to that time I had been detailed to Service Record Division from November 1 to April 10, the date that I went to Loyalty Review Board and prior to that time I worked in Personnel Division of the Commission from April 24, 1939.

Q: Is that when you entered the Government?

A: I had been in the Government prior to that time under temporary appointments, the majority of which had been in the Census Bureau. I had approximately 6 years with the Census and six months with Veterans Administration and 6 months with Internal Revenue when I first came to the Government.

Q: Describe briefly your present duties.

A: My present duties are more less of a secretarial nature. I have taken dictation from Dr. Coombe, Mr. Martsfield and Mr. Ginsburg in connection with those 81 cases that you referred to and then I have kept card index on all material coming into the unit and out of the unit in connection with the cases and just the type of material that we had referred and the dates that we referred the cases to the panel members. Yesterday we received the last of the cases back from the panel and they were referred over to the State Department yesterday.

67C

Q: So that I take it now all of the cases have been returned to the State Department?

A: That is correct. All of the files have been returned to the State Department as of yesterday. They were returned personally by the panel member yesterday morning and were returned around noon time to State.

Q: As I understand it, you were detailed to these present duties as of April 10.

A: That is correct, April 10.

Q: Had the cases then arrived.

A: Yes sir. The cases were there and some of the index cards had been prepared before I entered the unit.

Q: Do you know who prepared them?

A: I really don't.

Q: Of course you have had access to the files?

A: That is correct at all times from April 10 right on to the present time I have had access to the files and all material in the files.

Q: Will you list the other persons who had access to those on a daily basis?

A: Dr. Coombs, Mr. Hartsfield, and from the Loyalty Review Board in certain cases that he was working on for other purposes and I don't know the nature of that.

Q: Would you list in the group of those who had the same sort of access to the files?

A: No restriction was placed on to go into the files.

Q: As I understand it the files were in a room occupied by Dr. Coombs and yourself.

A: Yes sir. Our two desks are in the room.

Q: Who had the keys to the files?

A: They were kept in Dr. Coombs' desk and his desk was locked.

Q: Who could go in and get the key?

A: I was the first person in in the morning at the Loyalty Review Board. I ride a

train from Alexandria which puts me at 7th and C at approximately 8:00. I get up there about 8:05 or 8:10. I was the first person in that office and I knew where the key was and then I would unlock the files, but they were not left unlocked while I was not there. The same was true at lunch time. I was in the room until Dr. Coombs or Mr. Hartsfield returned from their lunch. Mr. Hartsfield could see the door to Room 788 from his desk.

Q: Mr. Hartsfield then, of course, knew where the keys were if you happened not to be there?

A: No. Mr. Hartsfield did not know, to my knowledge where the keys were until recently when Dr. Coombs went on military furlough about 15 days ago. We told Mr. Hartsfield where they were in the event that I wouldn't be there.

Q: So that up until the time that Dr. Coombs went into active military service which is I understand about June 1, there were only the two of you who had the keys and three who had free access to the file.

A: Mr. Ginsburg also came in occasionally.

Q: But he would have to approach you or Dr. Coombs?

A: No. He went directly to the files while they were unlocked.

Q: But the point is that there were only two of you who had actual access to the files?

A: Dr. Coombs and I and until he went into military service, I don't think Mr. Hartsfield knew where they were.

Q: But it was your understanding that Mr. Hartsfield and Mr. Ginsburg could see them freely.

A: At any time up to the present time.

Q: Was there anybody else other than those two who had free access?

A: as I said, went to the file himself. I know Dr. Coombs told him that it would be all right for him to look at the cases that he was working on.

219

Q: So that during working hours at least had the same sort of access to the materials as Ginsburg and Hartsfield.

A: Yes sir. That is my understanding.

Q: Was there anyone else who had the same free access to the files whenever they wished?

A: No sir. No one else went into the files in any way. Not while I was in the office anyway.

Q: Would you always maintain a charge out record any time any of those three mentioned would obtain a file?

A: Every time a file was removed from the file cabinet a charge was placed in for the material that was removed, the entire file usually, and we had a double check because we had a list of these cases as they were assigned to the examiners and initials were placed on the list to indicate which of the examiners was preparing a summary for the panel member.

Q: But as I understand it anyone of the three mentioned, Hartsfield, Ginsburg and Beale might have come into the room and either stood at the file cabinets or perhaps worked at a desk or table which may have been in the room and reviewed any of these files without making a charge out notation?

A: That is correct. They could have stood at the file cabinet and reviewed any of the material at the file cabinet. It was available there.

Q: Would it have been possible for them to have removed loose reports?

A: We have tried to keep them always under a clip.

Q: But, of course, the clip could have been removed?

A: That is possible.

Q: are you satisfied with the security provisions enforced?

A: I thought they were effective and to my knowledge I don't know of anyone removing papers that they shouldn't have. As far as I am personally concerned, I have

never discussed any material or item of material that is in those cases with anyone.

Q: Have you on any occasion heard anyone else discuss the cases with people whom they were not authorized to discuss them with?

A: No. I have not.

Q: Have you had any reason to believe that any photostats or other copies of reports were removed from those files by anybody?

A: No, I have not. Of course, it is understood that FBI supplemental summaries that were submitted to the panel members so that they would have a complete story of the reports we submitted as we received from your Bureau. We would send a supplemental letter to the panel transmitting such material for their use and there would be three copies sent and we would retain the one copy in the office in those cases.

Q: Let me state for the record in view of the fact that Mrs. Potter uses the expression "your Bureau" that I am not representing the FBI, but I am a representative of the Department of Justice.

Have you ever expressed to anyone any doubts about any individual having access to those files?

A: No. I have not.

Q: Are the minutes of the various meetings also placed in those files--minutes of the Loyalty Review Board?

A: No. They are not in the files to my knowledge.

Q: The minutes of the various meetings of the Loyalty Review Board are passed freely to the members of the staff?

A: That is something I can't answer. I have never seen a minute of the Loyalty Review Board since April 10.